

The League  
from  
Year to Year  
(1933)

INFORMATION SECTION  
LEAGUE OF NATIONS  
GENEVA

# MONTHLY SUMMARY

## OF THE LEAGUE OF NATIONS

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A bird's-eye view, clear and concise, of the work of the League of Nations during the month preceding publication. The *Monthly Summary* is issued in six languages — English, French, German, Spanish, Italian and Czech — to a public of 15,000 readers in some fifty-five different countries. It contains a succinct record of all League meetings of the Council, the Assembly, the technical organisations, advisory commissions and other bodies. A special chapter deals with the proceedings of the Permanent Court of International Justice.

The principal documents on the subject of disarmament, and the documents and reports dealing with the Sino-Japanese conflict and the Latin-American disputes, the draft treaty of mutual assistance, the draft protocol for the pacific settlement of international disputes, the full text of the Locarno Agreements, documents and reports concerning the financial reconstruction of Austria, Hungary and Greece and the Economic Conference have also appeared in the supplements and appendices to the *Monthly Summary*. The number immediately following the annual Assembly contains the text of the resolutions passed at that session.

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GENEVA

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# THE LEAGUE FROM YEAR TO YEAR

(1933)

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## INTRODUCTION

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### THE LEAGUE OF NATIONS IN 1933 : GENERAL SUMMARY.

The year 1933 has been the most crowded and the most critical in League history, with two world conferences (one on disarmament and the other on monetary and economic questions), two sessions of the Assembly and three major political disputes in the Far East and Latin America.

In March, the Assembly adopted its report on the Sino-Japanese conflict, which led to Japan giving notice of withdrawal from the League. In May, the Council adopted a report on the dispute between Colombia and Peru. This report, and the co-operation of the neighbour States and the United States of America, led to a settlement. In December, the League Commission, instructed to find a solution of the long-standing dispute between Bolivia and Paraguay, effected an armistice between the two States.

The Disarmament Conference passed through a series of crises during 1933, making considerable progress as regards consultation in cases of emergency and control of armaments, but being confronted at the end by

Germany's notice of withdrawal from both the Conference and the League. The Monetary and Economic Conference, while forced to adjourn without fulfilling its principal aims, nevertheless rendered possible agreements on the questions of wheat and silver.

These outstanding world events necessarily affected the current activities of the League, which tended to fall into the background. Many substantial results were, however, obtained, not least the coming into force of the 1931 Convention for limiting the Manufacture and regulating the Distribution of Narcotic Drugs. A notable event of the year was the action of the Argentine Congress in ratifying the Covenant, and Argentine's immediate election to the Council.

## I. — POLITICAL ACTIVITY.

### *The Sino-Japanese Conflict.*

At the beginning of the year, a Special Committee of the special session of the Assembly was still endeavouring to find a solution by conciliation. These attempts were unsuccessful. The Assembly therefore decided to draft the report required by Article 15, paragraph 4, of the Covenant, containing a statement of the facts of the dispute and the recommendations deemed just and proper in regard to it.

Further efforts at conciliation, made while the draft report was in preparation, finally broke down, the Japanese Government refusing to accept as a basis of conciliation the proposals of the Commission of Enquiry in the Far East relating to the establishment in Manchuria of an autonomy compatible with the sovereignty and administrative integrity of China.

The report was adopted by the Assembly on February 24th. Japan voted against it and Siam abstained. The president, noting that the report had been unanimously adopted under Article 15 (the votes of the parties not being reckoned), pointed out that its recommendations did not possess the executive force of an arbitral award, but stood as an offer of collaboration extended to the

parties by the other nations with which they had entered into a voluntary association. The Japanese delegation thereupon withdrew from the Assembly.

The Members of the League, in the report adopted by the Assembly, declared that they would abstain from taking any isolated action with regard to the situation in Manchuria and would continue to concert their measures among themselves, as well as with the interested States not members of the League. The Assembly accordingly appointed an Advisory Committee, on which the Governments of the United States of America and the Union of Soviet Socialist Republics were invited to sit, to follow the situation and assist it in the performance of its duties.

The United States Government declared its general agreement with the terms of the report and appointed a representative to participate in the discussions of the Assembly Committee without, however, the right to vote.

The Soviet Government did not find it possible to participate in the work of the Advisory Committee, stating, however, that it would always conform to any action intended to bring about a rapid and just settlement of the dispute and the consolidation of peace in the Far East.

The Japanese Government, on March 27th, gave preliminary notice of the intention of Japan to withdraw from the League under Article 1, paragraph 3, of the Covenant. Japan thereupon ceased to be represented in the Council or Assembly, but her delegates continued to take part in the work of all the other bodies of the League.

The Advisory Committee, on June 7th, sent a circular letter to the Members of the League and to non-member States regarding the measures which, in its view, appeared to result from the non-recognition, *de jure* or *de facto*, of "Manchukuo".

The Governments have generally intimated, implicitly or explicitly, their adherence to the measures recommended by the Advisory Committee.

#### *Dispute between Colombia and Peru.*

The Government of Colombia, at the beginning of January, notified the Secretary-General of incidents which

had arisen in the port of Leticia, capital of a district which, since the conclusion of the Treaty signed at Lima on March 24th, 1922, between Colombia and Peru, and ratified in 1928, has formed part of Colombian territory on the Amazon.

On the night of September 1st to 2nd, 1932, certain persons coming from Peru entered Leticia, where they dispossessed and expelled the Colombian authorities. The Colombian Government thereupon took steps to restore order in its territory. The Peruvian Government pleaded, in reference to these events, that Leticia had been transferred to Colombia without attention to the wishes of the inhabitants. It protested against the military preparations of Colombia and asked the League to order the suspension of any resort to force.

The Council appointed a Committee of Three of its Members to follow the progress of the dispute.

On February 18th, the Colombian Government asked that the Council should be convened under Article 15 of the Covenant. The Council at once instructed its Committee of Three to seek an agreement by conciliation.

The Committee of Three proposed that a League Commission should take charge of the disputed territory; that the territory should be completely evacuated by the Peruvian forces; and that Colombian forces, to be regarded as international forces for the time being, should be responsible for maintaining order in the disputed territory during negotiations between the parties to be undertaken with a view to a lasting solution of the dispute. These proposals were accepted by the delegate of Colombia, but not approved by the Government of Peru.

The Committee of Three was accordingly instructed to draft a report under paragraph 4 of Article 15. This report was submitted to the Council on March 18th; it was adopted by the Council, but was not accepted by the representative of Peru.

The report adopted by the Council recommended a complete evacuation by the Peruvian forces of the territory of Leticia and immediate negotiations between the parties as soon as evacuation had taken place. Attention



was drawn to the fact that it was incumbent upon Members of the League not to recognise any situation, treaty or agreement which might be brought about by means contrary to the Covenant of the League or the Paris Pact. An Advisory Committee was instructed to watch the situation and to assist the Members of the League in concerting their action among themselves and with non-member States. The Governments of the United States and Brazil accepted an invitation to participate in the work of this Committee, without, however, voting in its decisions.

The Council, on May 25th, was informed that the two parties had accepted the recommendations made by the Advisory Committee on the basis of the report of March 18th. The parties agreed that, within a period not exceeding thirty days, a Commission of the League should proceed to Leticia and take charge of the administration of the territory on behalf of the Government of Colombia. Meanwhile, the parties were to keep the Advisory Committee of the Council informed of the progress of the negotiations recommended with a view to a lasting settlement.

The Leticia Commission, consisting of an American, a Brazilian and a Spanish member, arrived at Leticia on June 23rd. The Peruvian forces evacuated the territory on the same day, and the Colombian Government gave instructions that all its troops in Peruvian territory should also be withdrawn.

The first stage of the settlement of the dispute between Colombia and Peru was thus completed in conformity with the recommendations of the Council. Negotiations for a final settlement of the dispute were subsequently opened at Rio de Janeiro.

#### *Dispute between Bolivia and Paraguay.*

In January 1933, efforts were still being made in the countries adjacent to Bolivia and Paraguay, in co-operation with a Neutral Commission at Washington, to bring about a settlement of the dispute and a cessation of hostilities. The Council was at that time, through a Special Committee of Three appointed for the purpose, following

the progress of the dispute, which it had been considering with attention since August 1932, but was postponing definite action until the result of the steps taken by the South-American countries and by the Commission of Neutrals was known. The Committee of Three, however, on March 6th, in view of the fact that hostilities in the Chaco were still proceeding, asked that the dispute should be placed on the agenda of the Council under Article II of the Covenant.

In the month of May, Paraguay having declared that a state of war existed between herself and Bolivia, the Council met in extraordinary session, and the Committee of Three proposed that it should invite the two Governments to entrust the settlement of the dispute to an impartial authority, it being understood that this authority would fix the frontier between the two countries. Such procedure implied (1) that hostilities would cease and that Paraguay would withdraw her declaration of a state of war with Bolivia; (2) that an agreement for the submission of the dispute to arbitration would be established. The Council considered, moreover, that, in order to apply these recommendations, it was essential to send to the spot a Commission to make an enquiry into all the circumstances of the dispute.

These recommendations were accepted by the representative of Paraguay, but were rejected by the Bolivian Government. It was the view of the Government of Paraguay that a cessation of hostilities should precede any negotiations for the establishment of an arbitration agreement, whereas the Bolivian Government held that the establishment of such an agreement should precede the cessation of hostilities.

The Bolivian Government, on June 26th, nevertheless agreed to the despatch of the Commission of Enquiry, and the Commission was constituted on July 19th. The Council, however, just as the Commission was preparing to leave Europe, was asked by the parties to invite the four neighbouring States (Argentina, Brazil, Chile and Peru) to act on its behalf for the purpose of settling the dispute.

The Council accepted this suggestion. The four

Governments, on October 1st, however, declined the invitation and the Commission of Enquiry was accordingly despatched to South America, where it constituted itself, on November 3rd, at Montevideo. It subsequently proceeded to Paraguay, the region of the Chaco, and Bolivia.

An armistice, running from December 19th to December 30th, and afterwards prolonged to January 6th, was concluded under the auspices of the Commission, which convened the plenipotentiaries of the parties to meet at Montevideo. The Pan-American Conference, assembled in that city, assured the Commission of the entire support of the American nations.

Further difficulties, however, arose which are still under consideration by the Commission.

*Dispute between the United Kingdom and Persia.*

The Persian Government, in 1932, cancelled the concession under which the Anglo-Persian Oil Company had undertaken to develop and render suitable for trade the oil and other products from the oil-fields throughout the whole extent of the Persian Empire. The United Kingdom Government, which took up the matter in the exercise of its right to protect a United Kingdom national injured by an act which it regarded as contrary to international law, referred the dispute to the Council under Article 15 of the Covenant.

The Council, which considered the case during its January session, appointed a rapporteur to make a study of the question in consultation with the two parties. The Rapporteur, on February 3rd, 1933, informed the Council that the two parties had agreed that the Anglo-Persian Oil Company should negotiate directly with the Persian Government, the operations of the Company to continue pending a settlement.

Negotiations were opened at Teheran between the representatives of the Company and the Government of Persia, and on May 1st, 1933, the Secretary-General was informed that a new concession had been concluded and signed on April 29th.

*Request of Liberia for Assistance.*

The Council, during its October session, approved the report of its Committee on Liberia embodying a plan of assistance based on conclusions submitted by the League experts who went to Liberia in July 1931.

The Liberian Government had accepted this scheme in September 1932, subject to the satisfactory conclusion of negotiations which it was to conduct with the Finance Corporation of America. These negotiations came to a successful issue in June 1933. The plan, as approved by the Council in October, embodied certain amendments to the original scheme intended by the Council adequately to safeguard the political independence of the Republic and its territorial integrity.

II. — CONFERENCE FOR THE REDUCTION  
AND LIMITATION OF ARMAMENTS.

The proceedings of the Conference for the Reduction and Limitation of Armaments were resumed on January 23rd, 1933, in encouraging circumstances. Germany had, in the previous month, decided to return to the Conference as the result of an agreement reached with the Governments of the United Kingdom, France and Italy, guaranteeing to her equality of rights within a system of general security.

The General Commission of the Conference first entered upon a general discussion of a memorandum on security and disarmament submitted by the French delegation and a programme of work submitted by the delegation of the United Kingdom.

On February 23rd, it decided by a majority vote in favour of the standardisation of the armies of the European continent as armies with short-term service and with limited effect ves. Meanwhile, a Special Air Committee, proceeding on the assumption that military and naval aviation would be completely abolished, was studying the measures to be taken in respect of civil aviation in order to render such abolition possible and surround it with the necessary guarantees.

The Political Commission of the Conference, after unanimously approving a draft European undertaking of non-resort to force, passed to the consideration of a draft Pact of Mutual Assistance, as proposed in the French memorandum, and subsequently discussed a draft definition of the aggressor submitted by the delegation of the Union of Soviet Socialist Republics.

Such was the situation when, on March 15th, Mr. MacDonald, Prime Minister of the United Kingdom, invited the General Commission to consider a draft general Convention in five parts and ninety-six articles. Part I dealt with the question of security; Part II, with disarmament (effectives, land, naval and air material); Part III, with the exchange of information relating to armaments; Part IV, with chemical warfare (prohibition of chemical, incendiary or bacteriological warfare and its preparation, supervision of the prohibition of the preparation of chemical warfare and methods of ascertaining that the prohibited weapons were not employed); Part V, with general provisions (constitution and duties of the Permanent Disarmament Commission to be set up under the Convention, exceptions to the Convention and final provisions).

The General Commission, on March 27th, decided to take the draft Convention submitted by the United Kingdom as a basis for its subsequent discussions, and began a first reading of the Convention on April 25th. Concurrently with this first reading, the technical Committees of the Conference had under consideration questions relating to the calculation of effectives, the regulation of the traffic in arms, and the private and State manufacture of arms and implements of war, and proposals relating to the definition of the aggressor.

The General Commission completed its first reading of the draft Convention on May 30th, and at the beginning of June, owing to the convening of the Monetary and Economic Conference in London, it decided to adjourn until July 3rd. It unanimously resolved before separation that the draft Convention submitted by the United Kingdom delegation should be accepted as the basis of the future Convention. The Bureau of the Conference was instructed to prepare a text for second reading, and the

President was authorised to undertake any negotiations which might be necessary with a view to its preparation.

The President of the Conference, however, on June 29th, informed the Conference that he had been unable to make satisfactory progress with his negotiations, and the General Commission, in view of this statement, decided to adjourn until October. The German delegation protested against the adjournment and did not associate itself with the vote of the Commission under which the President was authorised to resume his negotiations.

The President of the Conference visited Paris, Rome, Berlin, Prague, Munich and London in July, and he continued these negotiations during September in London, Paris and Geneva.

On October 14th, the Bureau was informed of the results of conversations which had taken place during the summer between certain delegations.

Sir John Simon, as head of the United Kingdom delegation responsible for the draft Convention, announced that the draft would, in certain respects, have to be modified. In particular, he proposed that the Convention should provide for a period of application of eight years, the first four years being devoted to a transformation of the European continental armies and the establishment of a general system of supervision through the Permanent Disarmament Commission. He stated, moreover, that no agreement could be achieved on the basis of a Convention which permitted an immediate re-armament. The United States delegation declared that the statement made by the head of the United Kingdom delegation was in harmony with the proposals of the American Government, and the French delegation emphasised that the division of the period of application of the Convention into two stages was essential.

The German delegation recalled that the attitude of the German Government was determined by two claims—namely, that there should be a real and substantial disarmament on the part of the heavily armed Powers, and that there should be a practical and immediate application of equality of status. On the same day, the President of the Conference was informed that the German Government felt itself compelled to leave the Conference.

The Bureau of the Conference, authorised to take such steps as were necessary to prepare the draft Convention for a second reading, appointed special committees and rapporteurs for the purpose. On November 22nd, however, after further consultations with the representatives of the United Kingdom, the United States, France and Italy, the President announced that, in the opinion of these delegations, it did not seem desirable that he should convene the General Commission, as had been suggested, for December 4th, as the differences of opinion which still existed upon important questions were too serious for a discussion to be undertaken in the Commission with any substantial chance of success. The meeting of the General Commission was accordingly adjourned.

The Committee on moral disarmament of the Disarmament Conference has proposed that provisions for moral disarmament, prepared with the assistance of the Intellectual Co-operation Organisation, should be embodied in the future Convention.

Provisional texts have been drafted by the Committee for submission to the General Commission. These texts will be reconsidered and, if necessary, amended in the light of any decision which the General Commission may take.

#### *Co-operation of the Press in the Organisation of Peace.*

The Assembly, in October, welcomed the initiative of the Spanish Government, which, in conformity with the recommendation of the Assembly in 1932, had decided to convene a Conference to examine the question of inaccurate Press news likely to disturb the good understanding between the nations. This Conference met at Madrid in November.

### III. — LEGAL AND CONSTITUTIONAL QUESTIONS.

#### *Method of Election to the Council.*

The Assembly considered the report of a Special Committee appointed to study the existing system of election to the Council. This Committee was set up on the

initiative of the Portuguese delegation with a view to remedying a disadvantage inherent in the present system under which the non-permanent seats on the Council are filled from States belonging to certain groups. This system has led, in practice, to a permanent exclusion of a large number of Members of the League. The Committee recommended the provisional creation of one new non-permanent seat on the Council for the period of 1933-1936, and effect was given to the recommendation by the Council and by the Assembly under Article 4, paragraph 2, of the Covenant.

The Assembly further decided that candidates for election as non-permanent Members of the Council must put forward their candidatures or be nominated by another Member of the League at least forty-eight hours before the election.

#### *Elections to the Council.*

The Assembly elected as non-permanent Members of the Council, in place of Norway, Guatemala and the Irish Free State, whose terms of office had expired, the Argentine, Australia and Denmark. Portugal was elected to the seat newly created. These four States will sit on the Council for a period of three years.

#### *Simplification of the Procedure of the Assembly.*

The Assembly decided on a modification of its procedure to be applied at its next session in 1934. The adoption of reports will be simplified, and the President of the Council, in consultation with the Chairman of the Supervisory Commission, may, if necessary, convene the Finance Committee of the Assembly a week before the opening of the session.

### IV. — ECONOMIC AND FINANCIAL QUESTIONS.

#### *The Monetary and Economic Conference.*

The Monetary and Economic Conference met for a first session in London from June 12th to July 27th, under



the presidency of Mr. Ramsay MacDonald, Prime Minister of the United Kingdom. Sixty-four States were represented.

The agenda of the Conference, framed in January by a Committee of Experts sitting in Geneva, included the following items : monetary and credit policies; prices; resumption of the movement of capital; restrictions on international trade; tariff and trade policy; the organisation of production and trade.

The various Commissions and Sub-Commissions of the Conference devoted a number of meetings to a detailed discussion of these items. These initial consultations clearly showed that most of the questions were interdependent. More particularly certain delegations felt that the discussion of some of the economic and financial problems before the Conference could serve no useful purpose until agreement had been reached as to the stabilisation of certain national currencies. The Conference, therefore, decided, since an understanding regarding exchange ratios was not at that moment possible, to concentrate upon items whose discussion might lead to immediate results.

The Conference, on July 27th, 1933, adopted reports submitted by its Commissions and Sub-Commissions embodying the results achieved in carrying into effect this limited programme.

Resolutions were adopted on the policy to be pursued by countries in meeting the service of their external debts, on monetary and central banking questions, and on silver.

Reports were adopted on commercial policy, the regulation of production and marketing, indirect protectionism, subsidies and bounties, and on public works.

The Conference affirmed the need of a gradual abolition of restrictions on imports, and recognised the urgency of reducing excessive Customs tariffs. There ports adopted by the Conference on the regulation of production and marketing referred to certain specially important products : sugar, wine, coffee, cocoa, dairy produce, coal, tin and copper.

The Conference, in adjourning its proceedings to a subsequent date, authorised its Bureau and an Executive Committee to take such action as might be necessary either in execution of the resolutions and recommendations of the Conference or for a resumption of its work in the light of any further development in the monetary and financial situation.

### *The Wheat Conference.*

The World Agreement regulating the production of wheat and the trade in wheat, concluded in London on August 25th, may be regarded as a sequel to the World Monetary and Economic Conference. Thirty countries attended the Conference, which was summoned by the Secretary-General of the League at the request of the four principal wheat exporting countries (Argentine, Australia, Canada, and the United States of America).

The object of the Agreement was to adjust the supply of wheat to effective world demand, to eliminate the abnormal surpluses which had been depressing the wheat market, and to bring about a rise and stabilisation of prices at a level remunerative to the farmers and fair to the consumers of breadstuffs.

An Advisory Committee was set up to supervise the working and application of the Agreement.

### *Economic Truce.*

The Organising Committee of the Monetary and Economic Conference decided on May 12th, at the request of the representative of the United States, that a proposal for an economic truce should be forwarded to the Governments invited to the Conference. The truce was to be valid for the period prior to the opening of the Conference and during its proceedings.

Towards the end of July, fifty-nine States had acceded to the truce, reserving their right to denounce it after July 31st subject to a month's notice. Since the end of July, the truce has been denounced by twenty-two States.

*Work of the Economic Committee.*

The work of the Economic Committee during the year consisted mainly in the preparation of the World Monetary and Economic Conference and in the consideration of questions referred to it by the Conference for action or advice.

More particularly, it discussed methods of giving effect to an international agreement upon the three draft veterinary Conventions framed in 1931, and intended to prevent strictly veterinary measures, as applied to the export, import and transit of animals and animal products, from being used as an indirect form of economic protection. It also decided on the procedure to be followed in carrying out the recommendations of the Monetary and Economic Conference framed with a view to a further simplification of Customs formalities and technique, and in prosecuting the studies and enquiries recommended by the Conference with a view to the co-ordination of the production and sale, among other commodities, of milk products, timber, coal and copper.

On January 1st, 1933, a procedure for the friendly settlement of inter-State economic disputes, approved by the Council, came into operation. Under this arrangement, economic disputes may be referred to a panel of experts appointed by the Council under the Protocol.

*Work of the Financial Committee.*

The Financial Committee has continued its work of advice and reconstruction on behalf of countries applying for its assistance.

The Committee sent a delegation to *Greece* in May 1933, and submitted a report to the Council in June on the results of the enquiry. The Committee, in September, noted that a certain number of the measures recommended had already been applied. No agreement, however, had been reached on the subject of the external debt of *Greece*.

The Protocol for the *Austrian* loan, signed at Geneva on July 15th, 1932, came into force at the beginning of the year. The *Austrian* Government was thereby enabled

to meet all its foreign short-term liabilities and to repay a great part of its external floating debt. The regular service of the Austrian foreign debt was resumed and the external value of the schilling maintained.

A delegation of the Financial Committee went to *Bulgaria* in April 1933. As a result of this mission, and after consultation with the Financial Committee, the Bulgarian Government submitted a programme of reform. It was found that there was a serious deficit in the budget for 1932-33, and that the Treasury had entirely exhausted its resources. The Financial Committee recommended certain measures with a view to improving the situation of the Treasury.

An agreement, concluded in January 1933, for technical co-operation with *Roumania* provided for the appointment by the Roumanian Government, on the recommendation of the Council, of an accounting expert, an expert in treasury and budget matters and an expert on taxation. The application of this scheme is for the moment in abeyance.

The Finance Minister of *Hungary*, in January 1933, made a statement to the Financial Committee in which a programme of financial reforms was put forward. The budgetary and economic position of Hungary, owing partly to these reforms and partly to an abundant harvest, improved considerably during the year.

The Council, in October, dealt with a request submitted by the Government of *Guatemala* to the effect that an expert should be sent to that country to re-organise its fiscal system. This was the first occasion on which the work of financial assistance carried on by the League in Europe was, by request, extended to a country of Latin America.

#### *Work of the Fiscal Committee.*

The Fiscal Committee has met on two occasions—once at Washington—to review the results of researches carried on during the last three years, with the help of a gift from the Rockefeller Foundation, into the question of the apportionment of the profits of enterprises operating in several countries. A draft Convention, intended as far as possible

to remove present obstacles placed in the way of business undertakings by double taxation, has been framed, and the Council, during its October session, decided to forward it to Governments for their observations.

## V. — COMMUNICATIONS AND TRANSIT.

The Advisory and Technical Committee for Communications and Transit, during its session held at Geneva from November 29th to December 1st, 1933, reviewed the work undertaken since its previous session by the Permanent or Special Committees working under its direction.

Special importance attaches to the work of the Committee of Enquiry into Questions relating to Public Works and National Technical Equipment, which prepared for the use of the Monetary and Economic Conference a general report on schemes of public works submitted for consideration by the various Governments. The Committee, in selecting these schemes, had in view three criteria : the reduction of unemployment, the productivity of the works contemplated, and their international importance.

The Monetary and Economic Conference decided that a Committee should be set up to consider the whole question of public works, and the Assembly, in October, recommended that the Committee should be constituted as soon as possible.

A draft agreement and draft regulations for a uniform system of coast buoyage have been established, regard being had chiefly to the interests of navigators. The Committee on Road Traffic, moreover, formulated a series of recommendations relating to light signals, to the codification of the signs to be made by persons in control of traffic and by drivers of automobiles, and to commercial motor transport.

The Transit Organisation has continued to assist in carrying out the reconstruction programme of the National Economic Council of China. The Chinese Government has expressed its appreciation of the valuable assistance rendered by the Transit Organisation, more particularly

in the improvement of the Chinese waterways and in the construction of roads.

At the request of the Siamese Government, a Committee of experts appointed by the Transit Organisation has considered the improvement of the approaches by sea to the port of Bangkok and of the installations of the port.

## VI. — PROTECTION OF MINORITIES.

### *General Work of the Council.*

The customary procedure followed in dealing with minorities' petitions has been regularly applied during the period under review. Minorities Committees have met during the Council sessions and in the intervals between them.

Among the questions considered by the Council were the application of agrarian reform in Poland, to which the German Government called attention in January 1932, and the application of the German-Polish Convention of May 15th, 1922, concerning Upper Silesia, to which the attention of the Council was drawn in petitions received from the Association of Poles in Germany.

The Council, on May 26th, was called upon to consider a petition from M. Bernheim concerning the situation of the Jewish minority in German Upper Silesia. The petition referred to certain legislative and administrative orders enacted in Germany and affecting the situation of persons of non-Aryan descent. The German representative raised two previous questions concerning the petition, but a Committee of Jurists appointed by the Council decided that the petition could not be set aside.

The Council subsequently adopted a report in which note was taken of a declaration on the part of the German Government that if any infringements of the Convention had taken place they were to be regarded as errors due to a misconstruction of the internal laws by subordinate authorities, and that they would be corrected.

The German representative abstained from voting on the report. The Italian representative also abstained

from voting in view of certain general considerations contained in the report which, in his view, perhaps exceeded the competence of the Council.

### *Minorities before the Assembly.*

The question of minorities assumed an important place this year in the discussions of the Assembly. Several delegations referred explicitly to the problem of the Jewish minority in Germany, and expressed the view that a thorough discussion of the question was desirable.

The general problem was considered in the light of the resolution adopted by the Assembly in 1922, when it was affirmed that States which had no definite obligations in the matter should at least observe, in the treatment of their minorities, the same principles as those to which States bound by the minorities treaties were called upon to conform in the interests of international peace. Allusions were made in this connection to the recent German legislation upon the Jews, the German delegation insisting, however, that a State retained the sovereign right to settle a special problem of this kind as an internal question.

The Assembly finally adopted a resolution repeating the recommendation adopted in 1922. A resolution affirming that this text applied without exception to all classes of nationals of a State that differed from the majority of the population in race, language, or religion was not adopted, as the German delegation voted against it.

### *The Assyrians of Iraq.*

The Iraqi Government, in August, notified the Council and Members of the League of serious events which had occurred in connection with the settlement of the Assyrian minority in Iraq. A thousand Assyrian tribesmen had crossed into Syrian mandated territory. They had subsequently returned to Iraq and there had been encounters with the Iraqi forces. The steps taken by the Government of Iraq to restore order had resulted in serious loss of life and destruction of property.

The Council considered the situation in the light of a petition from Mar Shimun, Patriarch of the Assyrians, and of the observations of the Iraqi Government on this petition. It noted that part of the Assyrian population of Iraq would prefer to leave the country if given the necessary facilities and guarantees, and it appointed a special committee to take, in co-operation with the Iraqi Government, the necessary steps to prepare and execute a detailed scheme of settlement outside Iraq for such Assyrians as might desire to emigrate.

The Government of Iraq subsequently appointed a local commission with instructions to explain to the Assyrians the exact meaning of the decision of the Council of the League.

## VII. — ADMINISTRATIVE QUESTIONS.

### *The Saar Territory.*

The Chairman of the Governing Commission of the Saar Territory informed the Council, in May, that circumstances over which he had no control had given rise to misgivings among the Saar officials in regard to their position after the plebiscite to be held in 1935. The Governing Commission urged that it was desirable to assure all officials of the Saar territory, without distinction of origin or nationality, that the rights which they held under their appointments would in any case be safeguarded. The Council, on May 27th, 1933, adopted a report affirming this principle.

The Governing Commission, in May, was obliged to take measures to safeguard public order, and a Decree dated May 20th gave the authorities the right to forbid or dissolve political meetings or processions in certain circumstances. The Governing Commission further decided to suspend daily newspapers for a period up to six weeks in cases where there were incitements to disobey the laws, or abusive attacks on the Commission, or infringements of public order, or any propaganda that might deter the inhabitants from the free exercise of their rights. The Commission, moreover, assumed a more effective control over certain Saar associations, reserving the right



to dissolve them whenever their activities should compromise public order or were directed to ends incompatible with the situation under the Treaty of Peace.

### *Free City of Danzig.*

The High Commissioner of the League at Danzig forwarded to the Council, in the course of the year, frequent communications in regard to the general political situation in the Free City.

During the early months of the year, the two Governments of Danzig and Poland addressed numerous appeals to the Council against decisions taken by the High Commissioner. More particularly, the Council was in more than one case called upon to decide whether certain measures taken by the Polish Government constituted cases of direct action affecting the interests of the Free City. As a result of the elections in May 1933, however, the National-Socialist Party obtained a majority in the Volkstag, and the relations between Poland and Danzig considerably improved in the course of the summer.

The Council, on October 26th, appointed Mr. Sean Lester as High Commissioner of the League at Danzig for a period of three years, as from January 15th, 1934. Mr. Lester has, since 1929, been delegate of the Irish Free State accredited to the League of Nations.

### *Mandates.*

The Permanent Mandates Commission, in the course of two sessions, held from June 19th to July 1st and from October 23rd to November 4th, reviewed the administration of the mandatory Powers for 1932. It further considered a number of petitions and discussed certain general or special questions arising under the mandates. The conclusions and observations of the Commission were duly considered and approved by the Council, and, in accordance with precedent, by the Assembly.

Among the subjects to which the Council, on the advice of the Mandates Commission, gave special attention was the question of the principle of economic equality as applied in mandated territories; the division of the mandated territory of Syria into three political units

considered in connection with the ultimate emancipation of the territory; and the question of a closer administrative, Customs and fiscal union between the mandated territory of Tanganyika and the neighbouring British possessions of Kenya and Uganda.

#### VIII. — INTELLECTUAL CO-OPERATION.

The Intellectual Co-operation Organisation has undertaken the study of certain important intellectual problems with a view to contributing to an understanding between nations.

It has organised, with the assistance of distinguished persons in art, science or letters, exchanges of views which take the form of correspondence or meetings of committees or conferences devoted to the scientific and objective consideration of questions which, at the present moment, invite universal attention. It organised, for example, in 1933, the conversation at Madrid on the future of civilisation, and, in London, it organised the Conference of Higher International Studies, which discussed the intervention of the State in economic life. It has, further, framed definite proposals for the encouragement of moral disarmament by educational means.

The Intellectual Co-operation Organisation, moreover, has continued to assist the Chinese Government in the re-organisation of public education. It has continued its enquiries on educational broadcasting, on the intellectual rôle of the Press, on education in all its grades, and on the protection of authors' rights and of scientific rights.

For next year, it has placed on its programme the study of the social and political sciences, to be considered in the light of international relations. Finally, it has undertaken to frame a draft convention on the repatriation of artistic property which has been removed from the national artistic heritage.

#### IX. — THE HEALTH ORGANISATION.

The Health Organisation of the League has continued its co-operation in public health matters with the Governments of various countries.

In China, the Central Field Health Station at Nanking is in full working order, and the National Quarantine Service is now in a position to ensure health supervision over the river and maritime ports of importance to international traffic.

The Health Centre at Athens, established by the Greek Government with the assistance of the Health Organisation, is extending its activities.

In Czechoslovakia, the Health Committee has placed at the disposal of the national administration a member of the Health Section and the experience of its technical Commissions.

The Health Organisation has had under consideration at two important questions of immediate interest, namely : the effects of the present economic crisis on public health, and the food conditions prevalent among the unemployed. A Conference of Experts convened to consider the first question has issued a report embodying its conclusions as to the most appropriate methods of protecting public health against the effects of the present financial restrictions.

Another Conference of Experts, appointed by the Health Organisation and by the International Labour Office, has considered the question of food conditions among the unemployed.

Important progress has been made in the enquiries organised by the Health Committee into the subject of medical education and the reform of medical studies. In six large States, the United Kingdom, France, Germany, Italy, the Union of Soviet Socialist Republics, and the United States of America, reform is under consideration or being actively pursued.

The International Centre for Research on Leprosy, organised with the assistance of the Brazilian Government, will begin effective work in January 1934. The Centre will undertake any work which may contribute towards the prevention of leprosy by means of epidemiological, clinical and biological research.

The current work of the Health Organisation has been actively pursued by its permanent Commissions and its reporting Committees of Experts. More particularly,

substantial progress has been made with the enquiries into the treatment of syphilis, malaria and the radiological treatment of cancer.

The Eastern Bureau at Singapore is continually extending its activities, and improvements have been made in the methods of transmitting epidemiological information to the Far-Eastern health administrations. International malaria courses, moreover, have been organised at Singapore with the support of the local authorities, and the Eastern Bureau, as soon as circumstances permit, will convene a conference on rural hygiene in the Far East.

#### X. — SOCIAL AND HUMANITARIAN QUESTIONS.

##### *Traffic in Opium.*

The Convention for limiting the Manufacture and regulating the Distribution of Narcotic Drugs came into effect on July 9th, 1933, forty ratifications and accessions having been received.

The Supervisory Body set up under the Convention, which is entrusted with the task of examining the estimates furnished by Governments of their legitimate requirements in narcotic drugs, and to fix estimates for countries which do not supply them, examined the estimates of about thirty countries and territories, solicited and obtained explanations and supplementary information from the Governments, and established estimates for all the countries and territories in respect of which estimates had not been supplied.

The Advisory Committee on the Traffic in Opium noted this year that the old sources for the supply of the illicit traffic in Western Europe were drying up, but that new sources of supply were opening in other parts of the world. In Western Europe, as a result of the close control being exercised, the amounts of drugs reported as manufactured had begun to approximate closely to medical needs.

Illicit manufacture now takes place mostly in small clandestine factories, and it would appear from the seizures effected that smugglers are spreading their risks by dividing up the drugs for distribution in small lots. New

methods, moreover, are continually being used by the traffickers to avoid control, such as the employment of privately owned aeroplanes.

The Advisory Committee, in October, gave special consideration to the situation which has arisen in Manchuria and Jehol. There are three aspects to the dangerous position that has arisen : first, there are organised attempts to secure the planting and harvesting of opium in Jehol on a larger scale than ever before; secondly, there is the possibility of increased supplies of Persian opium for manufacturing purposes; thirdly, there is the possibility of the establishment of illicit factories for the conversion of the raw material into manufactured drugs.

The Committee, in its report to the Council, emphasised the importance of steps being taken to secure the fullest possible information as to the production, sale and use of opium and drugs in this part of the world. It further drew the attention of the chief manufacturing and producing countries of the world to the necessity of supervising most strictly any application for the introduction of narcotics into these territories.

The Advisory Committee has appointed a Standing Sub-Committee to consider the question of co-operation between China and the authorities representing the Treaty Powers in the settlements, concessions, and leased territories of China in the execution of the Hague Convention of 1912.

In preparation for a conference to consider the possibility of limiting and controlling the cultivation of the opium poppy and the harvesting of the coca leaf, questionnaires have been prepared and forwarded to the Governments in accordance with the instructions of the Assembly.

The Permanent Central Opium Board, which, under the 1925 Convention, reviews the quarterly statistics of imports and exports furnished by the Governments, has submitted to the Council a series of interesting reports on the illicit traffic.

#### *Protection and Welfare of Children and Young People.*

The Assembly considered that the means at present afforded the Advisory Commission for the Protection and

Welfare of Children and Young People were inadequate. It made no definite proposals, but urged that the budget of the Social Section of the Secretariat should be increased as soon as possible. These observations applied in particular to the work of child welfare, and the Assembly requested the Child Welfare Committee to submit to it at its next session a plan of work which would enable it to continue the task for which it was originally constituted.

A Protocol for the suppression of traffic in women of full age was approved by a Diplomatic Conference attended by twenty-eight States and opened for signature during the session of the Assembly. The Protocol was signed by twenty countries.

#### *Slavery.*

The Assembly voted the credits necessary to enable the Advisory Commission of Experts on Slavery to begin its work in 1934.

#### *Work of the Nansen Office for Refugees.*

The Nansen International Office for Refugees has, during the year, rendered further important assistance to thousands of Russian, Armenian, Assyrian, Assyro-Chaldean, and Turkish refugees.

A draft Convention for the protection of these refugees was considered by an Inter-Governmental Conference in October and approved by the Advisory Inter-Governmental Commission for Refugees in December. The Convention provides for the issue of Nansen certificates to Russian, Armenian and assimilated refugees, and embodies undertakings by the contracting parties not to expel or refuse admittance to refugees unless such measures are dictated by reasons of national security or public order.

#### *Refugees from Germany.*

The Assembly paid special attention to the position of Jewish and other refugees from Germany. It concluded that the problem could not be satisfactorily solved except by international measures. The Council, upon the

invitation of the Assembly, appointed a High Commissioner to work with a Governing Body consisting of the representatives of the States best able to assist the refugees. The High Commissioner is responsible to the Governing Body, and the relief work will be financed by private organisations. The Governing Body met at Lausanne in December and adopted a programme of work.

#### XI. — TECHNICAL CO-OPERATION WITH CHINA.

At the request of the Chinese Government, the Council has taken steps to ensure continuous technical co-operation between the League of Nations and the National Economic Council of China.

A Committee of the Council, on which a representative of the United States participated as an observer, decided to appoint a technical delegate with instructions to furnish the Chinese Government with information upon the working of the Technical Organisations of the League and to forward to the League any requests for special technical co-operation made by the Chinese Government. The technical delegate will also give the Chinese Government and the National Economic Council any assistance which may be necessary to provide them with experts and to co-ordinate their activities on the spot.

Dr. Rajchmann, Director of the Health Section of the League of Nations, was appointed technical delegate.

#### XII. — BUDGET AND INTERNAL ORGANISATION.

##### *Budget of the League of Nations.*

The Assembly, in October, approved the budget of the League for 1934, which amounted to 38,827,000 francs, a reduction of 8.3 per cent as compared with the previous year. The budget of the Secretariat amounted to 15,708,261 francs, representing a reduction of 9.3 per cent as compared with 1932.

The Assembly this year made a serious effort to deal with the question of contributions in arrears. Certain

definite steps were recommended; in particular, it was proposed that the question of contributions in arrears should every year be given full publicity by the Assembly.

The Assembly emphasised that it was especially necessary that the League should receive its current contributions.

The new Secretary-General of the League of Nations, M. Joseph Avenol, appointed at the end of 1932, formally took over his duties from his predecessor, Sir Eric Drummond, on June 30th.

### *The New League of Nations Buildings.*

The Secretary-General of the League took possession of the new League buildings on behalf of the League of Nations on November 6th, in the course of a ceremony known as the "fixing of the branches", customary in European countries when the walls and roof of a building have been constructed.

The completion of the new buildings was celebrated as a remarkable achievement in international co-operation. For two and a half years, five architects from France, Italy, Switzerland and Hungary have been in constant collaboration. Two international commissions, the Supervisory Commission of the League, which deals with all questions affecting the finances of the League, and a special Building Committee, appointed to supervise the process of construction, have carefully followed the development of the building and reviewed the expenditure incurred.

### *The League Wireless Station.*

The Wireless Station, Radio Nations, has, during the year, performed important political services on behalf of the bodies of the League and the delegations accredited to it. It has, in particular, on occasions when certain disputes between States have been under consideration by the League, made it possible for direct and independent contact to be maintained between the bodies of the League and the missions which they have sent to the spot. Particularly valuable services were, for example, rendered



by the station in connection with the Sino-Japanese dispute, and the report of the Special Committee of the Assembly was in February broadcast *in extenso*.

The station, moreover, enables the League to keep a numerous public outside Europe regularly informed of proceedings at Geneva, and information of the same kind will shortly be made available for the public in Europe.

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CHAPTER I

**THE ORGANISATION OF PEACE  
AND DISARMAMENT**

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Conference for the Reduction and Limitation of Armaments. — II. Co-operation of the Press in the Organisation of Peace.

I. — CONFERENCE FOR THE REDUCTION  
AND LIMITATION OF ARMAMENTS.

The Conference for the Reduction and Limitation of Armaments, which opened on February 2nd, 1932, continued its work during the whole of 1933. From January to the middle of March, the General Commission and the special Committees of the Conference studied the scheme for the organisation of peace submitted by the French delegation in November 1932, and a programme of work suggested by the delegation of the United Kingdom. The period from March 16th to June 8th was devoted to a first reading of a draft Convention submitted by the delegation of the United Kingdom, which was first adopted as a basis of discussion and subsequently as a basis for the future convention.

Later in the year, negotiations were undertaken, more particularly through the ordinary diplomatic channels, with a view to preparing for a second reading of the draft Convention. The results of these negotiations were not, from a political point of view, satisfactory, and the General Commission had to be adjourned. The special Committees of the Conference, on the other hand, which were dealing with technical problems, succeeded generally in achieving agreements of principle.

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The Conference at the beginning of 1933 entered upon a general discussion of the French scheme and the programme of work submitted by the United Kingdom delegation. The General Commission, by a majority vote, declared in favour of the principle of a standardisation of the armies of the European continent on a basis of short-term service and limited effectives. It then decided that this transformation should not apply to overseas effectives.

The Political Commission unanimously approved a draft European agreement of non-resort to force in the following terms :

The Governments . . .

Anxious to further the cause of disarmament by increasing the spirit of mutual confidence between the nations of Europe by means of a declaration expressly forbidding resort to force in circumstances in which the Pact of Paris forbids resort to war :

Hereby solemnly re-affirm that they will not in any event resort, as between themselves, to force as an instrument of national policy.

The Political Commission then considered the question of mutual assistance as raised in the French scheme and in the programme of work submitted by the United Kingdom delegation. It also considered a draft definition of the aggressor on the basis of a proposal put forward by the Soviet delegation.

The General Commission, on March 16th, was invited by Mr. MacDonald, Prime Minister of the United Kingdom, to consider a draft Convention in five parts and ninety-six articles.

The first part related to security; the second part related to disarmament (effectives; land, naval and air material); the third part related to exchange of information; the fourth part related to chemical warfare (prohibition of chemical, incendiary or bacteriological warfare and its preparation, control of such prohibition and establishment of the fact of the employment of such weapons); the fifth part contained the general provisions of the Convention (Permanent Disarmament Commission, exceptions and final provisions).

The principal provisions of the draft were as follows :

1. *Security.*

The part relating to security was based on the Pact of Paris. It provided for a Conference between the parties in the event of a breach or threat of a breach of the Pact, if any five of them, including at least one of the seven great Powers (the United States of America, the United Kingdom, France, Germany, Italy, Japan and the Union of Soviet Socialist Republics), so requested. The Conference might be convened through the League of Nations, and its conclusions would need to be approved by the representatives of all the great Powers and by a majority of the other Governments participating in the Conference. It would be the object of the Conference, if convened in view of a threat of a breach of the Pact, to agree upon the steps which could be taken and, if a breach had actually occurred, to determine which party was to be held responsible. It was stipulated that the provisions of the Convention must not be interpreted as restricting the Covenant of the League of Nations and, in particular, those articles which determined the powers of the Council and the Assembly.

2. *Disarmament.*

I. *Effectives.* — The whole of the land forces of continental Europe were to be put on a comparable basis and, with a view to limiting the power of aggression, were to be reduced to the form of a militia. The period of service was fixed at eight months as a maximum. To suit varying conditions in certain States, however, the period of service might be extended to twelve months. The average daily effectives of the armed land forces of continental Europe were to be fixed as follows :

	Stationed at home	Total (including overseas)
Belgium . . . . .	60,000	75,000
Bulgaria . . . . .	60,000	60,000
Czechoslovakia . . . . .	100,000	100,000
France . . . . .	200,000	400,000
Germany . . . . .	200,000	200,000
Greece . . . . .	60,000	60,000

	Stationed at home	Total (including overseas)
Hungary. . . . .	60,000	60,000
Italy . . . . .	200,000	250,000
Netherlands . . . . .	25,000	75,000
Poland . . . . .	200,000	200,000
Portugal. . . . .	50,000	60,000
Roumania . . . . .	150,000	150,000
Spain . . . . .	120,000	170,000
U. S. S. R. . . . .	500,000	500,000
Yugoslavia. . . . .	100,000	100,000
Other continental Euro- pean States. . . . .		50,000

It was understood that this table would be completed by the addition of figures in respect of all the parties to the Convention.

II. *Land Material.* — A limit of 105 mm. was imposed as a maximum calibre of mobile land guns. It was understood that States would retain their existing armaments up to 155 mm., but that all future construction should be confined to the lower limit of 105 mm. approximately.

It was provided that coast defence guns should approximate to the limit of naval guns within a limit of 406 mm., the size of the largest naval gun.

The maximum limit for tanks was fixed at 16 tons.

It was understood that all prohibited material would be destroyed on the basis of one-third within one year, and of two-thirds within three years, of the coming into force of the Convention.

III. *Naval Armaments.* — Reductions and limitations had already been effected by the Washington and London treaties. The object of the draft Convention submitted by the United Kingdom was (1) to extend the Treaty of London to include two principal naval Powers, France and Italy, which were not yet within its framework, and (2) to stabilise the remaining naval forces of other Powers at the figures for 1932.

The situation established under the London and Washington treaties would be thus maintained, and it was understood that the naval conference which was to meet in 1935 would at that moment fix the naval armaments of all the Powers.

The truce in the construction of capital ships was extended to all States, except that Italy might lay down one ship.

Except as provided in the Naval Treaty of London, there would be no construction of 8-in. cruisers; all other construction would be limited to replacement and conform to the qualitative limitations in force under the naval treaties.

Provision was made for a Permanent Disarmament Commission and the immediate examination by that body of the further naval qualitative limitations submitted to the Conference with a view to their examination by the Naval Conference of 1935.

IV. *Air Armaments.* — Bombing from the air was to be completely prohibited (except for police purposes in certain outlying regions).

With a view to effecting, during the next five years, the reductions necessary to facilitate further air disarmament after that period, a table was submitted indicating the maximum number of aeroplanes capable of use in war which, by the end of that period, were not to be exceeded by the countries possessing such aeroplanes. The *status quo* was to be maintained by other countries. Each of the principal air Powers—France, Japan, Italy, the Union of Soviet Socialist Republics, the United States of America and the United Kingdom—was to reduce its figure to 500.

No naval or military aircraft, excluding troop-carriers and flying-boats, was to exceed three tons in unladen weight.

No dirigibles were to be built or acquired during the period of the Convention. Countries possessing dirigibles might retain them during the period of the Convention, but might not, during that period, acquire or build any more.

It was stipulated that aeroplanes exceeding the quantitative and qualitative limitations imposed should be disposed of—half by June 30th, 1936, and the remainder by the end of the period of the Convention.

Pending any further proposals in subsequent conventions for air disarmament, civil aviation was to be regulated.

The Permanent Disarmament Commission was to draw up a scheme for the complete abolition of naval and military aircraft, conditional upon an effective supervision of civil aviation in order to prevent its misuse for military purposes.

Alternatively, if such effective supervision was not found practicable, the Commission was to prepare a scheme to determine the minimum number of naval and military aircraft required by each contracting party.

It was understood that these schemes would be submitted to a second Disarmament Conference.

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No text was submitted for Part III (*Exchange of Information*), as the provisions of this part would necessarily depend on the limitations and restrictions imposed by other parts of the Convention.

Part IV of the draft Convention (*Chemical, Bacterial and Incendiary Warfare*) followed generally the texts prepared in 1932 by a special Committee.

Under these provisions, the use of chemical, incendiary and bacterial weapons against any State, whether or not a party to the Convention, and in any war, whatever its character, was prohibited. All provision for chemical, incendiary or bacterial warfare was prohibited in time of peace as in time of war. It was forbidden to manufacture, import, export or be in possession of appliances or substances exclusively suited to chemical or incendiary warfare. The manufacture of such substances as were suitable for both peaceful and military purposes, and the trade in such substances, was prohibited when their use for war purposes was intended. It was further prohibited to instruct or train air forces in the use of chemical or incendiary weapons or bacterial methods of warfare. An exception, however, was made in order to render possible protective experiments and training with a view to individual or collective protection against the prohibited weapons.

The supervision of the observance of these prohibitions was to be effected by the Permanent Disarmament Commission, whose duty it would be to examine complaints put forward by any party alleging violation. A scheme provided for the appointment, if necessary, of commissions of investigation to make enquiries into complaints, if necessary within the territory of the party against which the complaint was laid.

Part V, relating to *General Provisions* (Permanent Disarmament Commission and Final Provisions), was in general conformity with the scheme of supervision established at the end of 1932 and revised by the Bureau at the beginning of 1933.

The Permanent Disarmament Commission was to be composed of a representative of each of the Governments parties to the Convention. It would be the duty of the Commission to watch the execution of the Convention. It would be entitled to receive all necessary information and to hear or consult any person in a position to throw any light on a question under consideration. Any contracting party whose attitude might have been the subject of criticism would have the right to request the Commission to conduct investigations in its territory and the Commission might decide, on the request of one or more parties, to have investigations of breaches of the Convention conducted within the territory of a contracting party. Further, the Commission would be entitled to conduct periodic investigations in regard to States which had made a special agreement to that effect. The Commission would report at least once a year on the situation regarding the execution of the Convention. Any contracting party of opinion that the Convention had been infringed would have the right to address a complaint to the Commission, which might then invite the contracting party whose attitude had provoked the complaint to supply it with all useful explanations. The Commission would draw up a reasoned report on the result of its investigations, which would be communicated to the Council and published. The Commission would meet at least once a year in ordinary session and would meet in extraordinary session, either of its own motion or on the request of one of the contracting parties or of the Council of the League.



The decisions of the Commission would be taken by the majority of the members present, in default of any provision to the contrary. It would also be one of the duties of the Commission to make preparations for a second Disarmament Conference, to be held in order to facilitate the subsequent stages of disarmament.

Part V of the draft Convention further provided that the Convention would remain in force for a period of five years, except for the naval provisions, which would apply only until December 31st, 1936, before which date a further Naval Conference was to take place, and the provisions prohibiting certain methods of warfare, which would remain in force without any time-limit to their validity.

It was stipulated that before the expiry of the Convention a new Disarmament Conference would be held for the purpose of concluding a new convention which would continue the process of limitation and reduction. The Convention, together with any conventions concluded later, would replace the provisions of the Treaties of Peace limiting the armaments and armed forces of Germany, Austria, Hungary and Bulgaria.

The General Commission, by a resolution unanimously adopted on March 27th, decided to take the draft Convention as a basis of discussion, delegations reserving the right to propose modifications, amendments or additions.

The General Commission, from April 18th to June 8th, discussed at a first reading, article by article, the draft Convention and the amendments submitted.

The United Kingdom delegation modified the texts of the first part of the Convention relating to *Security*. According to the new draft, in the event of a breach or threat of breach of the Pact of Paris, the Council or Assembly or one of the parties to the Convention not a member of the League might propose an immediate consultation between the Council or the Assembly and any one party to the Convention. The object of this consultation, in the event of a threat of breach of the Pact, would be to hold an exchange of views for the purpose of maintaining peace and avoiding a conflict. The object of the consultation, in the event of a breach of the Pact, would be to use good offices for the restoration of peace or, finally,

in the event of it proving impossible to restore peace, to determine which party or parties to the dispute were to be held responsible.

It was stipulated that these provisions would in no way prejudice the rights and obligations of the Members of the League nor conflict with nor limit the powers and duties of the Assembly and Council under the Covenant.

During the discussion of these articles, the delegation of the United States announced that the American Government would, at the time of the deposition of the ratification of the Convention, make a declaration that, in the event of a breach or threat of breach of the Pact of Paris, it would be prepared to confer with a view to the maintenance of peace if a consultation of that kind were organised. In the event of a decision taken by a conference of the Powers in consultation concerning the determination of the aggressor with which, on the basis of an independent judgment, the Government of the United States was agreed, the Government of the United States would undertake to refrain from any action and to withhold protection from its citizens engaged in activities which would tend to defeat the collective effort which the States in consultation might have decided upon against the aggressor.

The Commission, moreover, examined three draft texts relating to *Security*: (1) an Act relating to the definition of the aggressor; (2) an Act relating to the establishment of the facts constituting aggression; and (3) a European Security Pact.

The first document established certain criteria for the definition of an aggressor. These criteria were as follows: (1) declaration of war upon any State; (2) invasion by its armed forces, with or without a declaration of war, of the territory of another State; (3) attack by its land, naval or air forces, with or without a declaration of war, on the territory, vessels or aircraft of another State; (4) naval blockade of the coasts or ports of another State; (5) provision of support to armed bands formed in its territory to invade the territory of another State or refusal, notwithstanding the request of the invaded State, to take in its own territory all the measures in its power to deprive those bands of all assistance or protection. A Protocol

annexed to the Act embodied a list of the factors, both in the internal condition of a State and its international conduct, which did not justify an act of aggression.

The second Act contemplated the creation, at the seat of government of each of the contracting parties which might so request, of a commission for establishing the act constituting aggression. It was provided that the commission should consist of five members, to be chosen by each Government from a list of ten persons established by the Permanent Disarmament Commission or the Council of the League of Nations from among the diplomatic agents and military, naval and air attachés accredited to the Governments of such contracting party. Any Government which believed itself to be the victim of an aggression or threatened with an aggression might call upon the Commission to establish the facts.

The draft European Security Pact contained two independent chapters, so that States might subscribe to the whole Act or to the obligations as set forth in the first chapter only.

Chapter I contained two provisions : an obligation not in any case to resort to force, and an obligation that States should, if they had not already done so, accede to the Convention to improve the means of preventing war.

The second chapter took account of obligations already assumed either under regional agreements or the League Covenant, and aimed at strengthening these obligations, first, by laying down a detailed and exact definition of the aggressor and, secondly, by providing that the recommendations which the Council of the League might have to make under Article 16, paragraph 2, of the Covenant would be binding upon the contracting parties to the European Pact.

The General Commission was, moreover, asked to consider provisions intended to facilitate the working of the European Pact or other special pacts by the Powers which were parties to the Convention but not bound by these pacts.

The Commission, in considering *Section I (Effectives) of Part II (Disarmament) of the Convention*, adopted as a whole the provisions of the United Kingdom draft relating

to the limitation of average daily effectives by land, sea and air; military training given elsewhere than in the army; the determination of police forces or similar formations not included as effectives and naval effectives to be assimilated to land effectives. Several technical questions were referred for consideration to a special committee.<sup>1</sup>

Numerous amendments were submitted during the discussion of *Section 2 (Land Material)*. These amendments related to the limitation of the number of land guns and coast guns of the authorised calibre; the limitation of the maximum calibre of fixed land guns; the reduction of the maximum calibre of mobile coast guns in the same degree as that of mobile land guns; the complete abolition of tanks; the setting up of maximum limits different from those contemplated in the draft Convention for the authorised calibre of guns and authorised tonnage of tanks; the provision of stages for the destruction of arms exceeding the authorised limits different from the periods provided for in the draft Convention; and, finally, the internationalisation—not abolition—of arms exceeding the authorised specifications, in order that they might be put at the disposal of a State victim of aggression.

The declarations and amendments moved in respect of *naval armaments* related chiefly to the following points; the omission of the principle of qualitative disarmament; the alleged differentiation of treatment of the large and small naval Powers; the fact that the draft Convention did not finally settle the naval question, but merely ensured the maintenance of the *status quo* until the meeting in 1935 of the Naval Conference to be called together under the Treaty of London.

The discussion on air armaments revealed divergences of opinion on the following points: the total abolition or otherwise of bombing from the air; the complete suppression of military and naval aviation; the possession of aircraft by States which were bound by the Treaties of Peace; the qualitative limitation of aircraft; the periods to be fixed for the destruction of aeroplanes exceeding the maximum limits; the internationalisation or control of civil aviation.

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<sup>1</sup> See below, page 51.

Differences of opinion in regard to Part IV of the draft Convention (*Chemical, Incendiary and Bacterial Warfare*) arose as to the use for police purposes of lachrymatory substances and the special measures to be taken in the event of a breach of the prohibition of the use of chemical, incendiary or bacterial weapons.

Various amendments were put forward and discussed concerning Part V (*General Provisions*). These amendments provided, in particular, for regular inspections of the armaments of the contracting parties, the sanctions to be taken against States violating the provisions of the Convention, and immunity for persons furnishing information concerning violations of the Convention.

The General Commission, on the first reading of the United Kingdom draft, considered at the beginning of June the report of the *National Defence Expenditure Commission*.

The National Defence Expenditure Commission, after a thorough examination by its technical committee of the military expenditure and budgetary systems of twenty-nine States, representing 90 per cent of the military expenditure of the world, reached the following conclusions.

First, it was unanimously of opinion that it was possible to draw up for practical purposes complete returns of the total expenditure of the States on national defence. On the other hand, in view of the present system of accounting of a number of States, the Commission did not think it possible for purposes of limitation to separate, with sufficient possibility of supervision, the expenditure on each of the three forces (land, naval and air) and the expenditure on land and naval material respectively. The Commission was also of opinion that expenditure on armaments of the various countries could not, generally speaking, serve as a criterion for a comparison of their armaments, but that a comparison of the expenditure returns of the same country from one year to another would enable the evolution of its financial outlay on armaments to be followed and would provide very useful information on the variations of its armaments.

The Commission had been unable to secure unanimity in regard to the possibility of inserting in the first

Disarmament Convention a clause for the application of a system of global limitation of expenditure on national defence. It unanimously considered, however, that a system of publicity of national defence expenditure was immediately practicable.

The General Commission therefore unanimously decided on June 8th—while leaving the question of limitation open for further negotiations—that the future Convention would contain provisions for the application of the principle of publicity of national defence expenditure subject to international control. It asked the Technical Committee on National Defence Expenditure to draft articles in order to give effect to this decision.

The General Commission finally considered the *trade in arms and the private and State manufacture of arms and implements of war*. The Special Committee which had been instructed to study this question had intimated that, before continuing its work, it was essential that the General Commission should take decisions on certain questions of principle. Among them were the following :

- (1) Should the private manufacture of arms be suppressed?
- (2) Should the manufacture of arms be internationalised?

The discussion in the General Commission showed that the majority of the Conference was prepared to insert in the Convention definite provisions for the international regulation of the manufacture of arms and the trade in arms, but not to include in the Convention proposals concerning the abolition of the private manufacture or the internationalisation of the manufacture of arms. The Commission therefore instructed its Chairman to negotiate with the delegations which had proposals to put forward for a strict regulation of the traffic in arms and the manufacture of arms.

The General Commission, concluding its first reading of the draft Convention submitted by the United Kingdom, decided on June 8th to accept it as a basis of the future Convention, without prejudice to any amendments or proposals which might be submitted during or before the second reading.

The Commission, moreover, instructed the Bureau of the Conference to prepare, with a view to a second reading,

a revised text of the draft Convention, and authorised the President to undertake certain negotiations for this purpose. The Commission then adjourned, having decided to meet again at the latest on July 3rd. The President, however, on June 29th, at a meeting of the General Commission convened by the Bureau, stated that the conversations which had been undertaken in London during the first session of the Monetary and Economic Conference had not made adequate progress and that, in these circumstances, it seemed desirable that the work of the Conference should be adjourned until October. The representative of Germany raised objections to this proposal and Hungary abstained from participating in the decision of the Commission, which decided to adjourn again, authorising the President to continue his negotiations with a view to revising the text of the Convention for a second reading.

Mr. Henderson, acting under these instructions, visited successively, in July, Paris, Rome, Berlin, Prague, Munich and London, where he had conversations with the Heads of the Governments of France, Italy, Germany, and the United Kingdom, with M. Politis, Vice-President of the Conference, and M. Beneš, Rapporteur of the General Commission.

The President, in September, resumed these negotiations in London, Paris and Geneva.

Moreover, there were further exchanges of views between certain Governments, particularly those of the United Kingdom, France and the United States.

The President, on October 9th, informed the Bureau of the result of these negotiations. He declared that he had noted a marked desire that a first convention should be concluded. In regard to the majority of the points on which the General Commission had been unable to reach a decision on the first reading, agreement might, in his opinion, be obtained. There were other questions, on the other hand, in regard to which the disturbed condition of Europe and the distrust and misgivings which resulted from that state of affairs had evidently influenced the attitude of the various Governments.

The questions on which it seemed to him that agreement might easily be reached were the following :

1. Generalised undertaking not to resort to force;
2. Definition of the aggressor;
3. Supervision;
4. Standardisation of the European continental armies;
5. Supervision of budgetary publicity;
6. Bombardment from the air;
7. Establishment of a permanent Disarmament Commission;
8. Naval questions.

Among the problems which would less easily be settled were the following :

1. Duration of a first convention;
2. Tonnage of tanks and calibre of artillery;
3. Reduction of land war material, either by destruction or in any other way;
4. Manufacture of arms and traffic in arms;
5. Naval and military aviation;
6. Sanctions in the event of a violation of the Convention.

The President observed that two opinions had been put forward in regard to the duration of the Convention. Certain countries had shown a marked preference for a convention of five years, during which a destruction of prohibited material and equality of rights would be realised by stages. Other countries had contemplated a convention of eight years divided into two periods of four years, the first period being regarded as a probationary period. During that period, the permanent Disarmament Commission would have to decide whether the contemplated system of supervision had worked effectively. If that question were decided in the affirmative, the reductions embodied in the Convention would be carried out during the second period.

The President, referring to the two most delicate points—namely, the system of sanctions to be adopted in the event of any violation of the clauses of the Convention, with a view to ensuring a more complete feeling of security, and the application of the principle of equality—suggested that the permanent Disarmament Commission should be constituted prior to the ratification of the Convention and as soon as it had been signed by a certain number of States—for example, by twenty States.

Sir John Simon, as head of the United Kingdom delegation responsible for the draft Convention submitted to



the Conference, gave an account of the conversations in which he had participated during the summer. He declared that, as a result of these exchanges of views, he considered that the draft Convention would in certain respects have to be modified. The Convention had been established on the assumption that it would apply to a period of five years. To meet the views of a certain number of Powers, the scheme would have to provide for a period of application of eight years. During that period a continuous programme would be carried forward, which was intended to render effective a substantial degree of disarmament on the part of the heavily armed Powers and to give effect to the principle of equality within a system of security.

It was necessary, however, to proceed by stages. It was not possible to ignore the present disturbed condition of Europe. It was, accordingly, desirable to provide that the proposed period of eight years should begin with the transformation of the continental armies into short-term service armies and with the application by means of the Permanent Disarmament Commission, constituted upon the signature of the Convention, of a general system of supervision. The feeling of security created by the strict application of the Convention would provide a basis for the practical realisation of the two connected ideas of disarmament and equality.

Sir John Simon, referring to the duration of the period necessary for the execution of these first two measures, said that a period of four years had been mentioned by several Governments. Other Governments, however, thought that the period should be shorter. The Convention should, in any case, embody at the moment of its signature a detailed and agreed plan of disarmament, and this disarmament should be as substantial as that contemplated in the draft Convention submitted by the United Kingdom delegation. A common list of arms allowed for all countries would be established. This would put an end to the difference in the situation of the Powers whose armaments had been limited by the Treaties of Peace. The quantities of these arms and the methods of disarmament in detail would, in each case, be the subject of negotiation and agreement.

The scheme, however, required that the Powers whose armaments had been restricted by the Peace Treaties should undertake not immediately to increase their armaments. Agreement, in his view, could not be achieved on the basis of a Convention which contemplated an immediate re-armament, and no Government would be authorised to manufacture or acquire new arms belonging to any of the types which would finally be suppressed. Since, however, the *Reichswehr* was to be transformed into a more numerous army on a short-term service basis, it would be necessary to provide for an appropriate numerical increase of its armaments.

The representative of the United States agreed with the conclusions presented. Qualitative equality in respect of armaments must be sought by the reduction of the armaments of the heavily armed Powers and not by an increase of the armaments of the other Powers. Equality could only be achieved by stages. But the United States would only participate in the system of supervision intended to ensure the application of the Convention if it contained precise and effective disarmament provisions.

The representative of Italy said that he would be happy to associate his efforts with those of the other delegations along the lines laid down.

The representative of France declared his acceptance of some of the principles mentioned by Sir John Simon. He considered that account should be taken, in the development of the work of the Conference, of the political situation existing in Europe.

The division of the period of application of the Convention into two stages of four years was essential, since, in view of the need to create an atmosphere of confidence, it was indispensable to ascertain by observation the value and results of supervision. Moreover, it was important that, during the period of application, there should be no re-armament, and it was desirable that definite undertakings should be made with a view to ensuring a substantial reduction of armaments during the term of application of the Convention such as would enable equality to be achieved.

The representative of Germany reminded the Bureau

that the attitude of his Government was determined by two claims : (a) that there should be a real and substantial disarmament of the heavily armed Powers, and (b) that there should be a practical and immediate application of the principle of equality of status, the question of quantity being left open for negotiation.

The President of the Conference, in the afternoon of October 14th, received from M. von Neurath, the Minister for Foreign Affairs of Germany, the following communication :

On behalf of the German Government I have the honour to make to you the following communication : In the light of the course which recent discussions of the Powers concerned have taken in the matter of disarmament, it is now clear that the Disarmament Conference will not fulfil what is its sole object — namely, general disarmament. It is also clear that this failure of the Conference is due solely to the unwillingness on the part of the highly armed States to carry out their contractual obligation to disarm. This renders impossible the satisfaction of Germany's recognised claim to equality of rights, and the condition on which the German Government agreed at the beginning of this year again to take part in the work of the Conference thus no longer exists. The German Government is accordingly compelled to leave the Disarmament Conference.

The General Commission, on October 16th, approved the despatch by the President to the German Government of the following reply. <sup>1</sup>

I have now communicated to the General Commission Your Excellency's telegram of October 14th announcing the decision of the German Government to discontinue participation in the work of the Conference for the Reduction and Limitation of Armaments and indicating the reasons for that decision.

The German Government took this step at a moment when the Bureau had just decided to submit to the General Commission a definite programme. This programme, to be completed within a limited period, provided for the realisation progressively,

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<sup>1</sup> The representatives of the Union of Soviet Socialist Republics, Poland and Turkey declared that they could not fully accept the text of the reply on the ground that it alluded to negotiations which had taken place outside the Conference between certain States. The representative of Hungary observed that his country was in a special situation in respect of disarmament and must consider the problem in view of this *de facto* situation.

in accordance with resolutions of the Conference in which Germany herself concurred, of reductions of armaments comparable to those contemplated in the draft Convention submitted to the General Commission.

This programme provided also, with corresponding measures of security, for the realisation of equality of rights, which the German Government have always placed in the forefront of their demands.

I regret, therefore, that this grave decision should have been taken by your Government for reasons which I am unable to accept as valid.

The General Commission then adjourned until October 26th. Coming together on that date, it authorised the Bureau of the Conference to take such steps as were appropriate to enable a second reading of the draft Convention to be started in the General Commission on December 4th, on the basis of a text revised and brought up to date.

The Bureau, in application of this decision, instructed rapporteurs to revise the various parts of the draft Convention relating to security, land material, naval armaments, air armaments, the manufacture of arms and the trade in arms, the guarantees of the execution of the clauses of the Convention, and the duration of the Convention. It constituted two new Committees—one with instructions to deal with the problem of effectives and the other to draft the part of the Convention embodying its general provisions (Permanent Disarmament Commission and Supervision).

The Bureau, on November 22nd, after a further consideration of the situation, noted that the divergencies of opinion existing in regard to certain important political questions were still considerable and, in these circumstances, decided that the General Commission should adjourn until the beginning of 1934.

The Bureau, in order to achieve more rapid progress, declared itself in favour of opening, through the ordinary diplomatic channels, parallel and supplementary negotiations between the various States. It was understood that the Governments would keep the President informed of their efforts and of the results achieved.

Parallel with the essentially political discussions in the General Commission and in the Bureau of the Conference,

the special Committees constituted by the Conference continued their technical work.

A list was drawn up of police forces and similar formations in the home country and in overseas territories to be included in the calculation of effectives.

The categories of naval personnel to be assimilated to land forces was also determined.

The question of pre-military training given to young people before their incorporation in the armed forces was also considered. It was not possible to decide either the conditions essential to a satisfactory application of the solution contemplated in the draft Convention or another system which would enable such instruction to be valued in terms of effectives. A certain number of suggestions, however, were made with a view to supervising pre-military instruction. It seemed evident, moreover, that military instruction given to adult persons elsewhere than in the army should be generally prohibited, and that if, as an exception, certain countries were authorised to give such instruction, subject to definite conditions, such instruction should be supervised by the Permanent Disarmament Commission, the Governments concerned taking steps to permit of precise returns of the forces under instruction being obtained and to render supervision possible.

Texts were at the same time established determining the methods according to which, proceeding upon a definite system of progression from year to year, the methods for the limitation or reduction of effectives, together with the standardisation of the Continental European armies upon the basis of a conscript army with short-term service, should be applied. A complete list was also established of the documents to be communicated to the Permanent Disarmament Commission by the various Governments, with a view to supervising effectives. Finally, various means were determined, from which a selection might be made, for the limitation of effectives serving beyond the normal period or for the limitation of the period of service.

The measures to be taken concerning civil aviation which would enable a complete abolition of military and naval aviation to be effected were examined on the

assumption that such abolition would, in fact, be approved. Subject to this assumption, the questions were examined in succession of the regulation, supervision and internationalisation of civil aviation.

A series of articles were framed in regard to the publicity and supervision of national defence expenditure on the basis of the decision of principle reached by the General Commission on June 8th, 1933. It was proposed that the contracting parties should communicate to the Permanent Disarmament Commission all the documents relating to their national defence expenditure under whatever authority such expenditure was incurred and whatever might be the nature or origin of the resources from which the expenditure was met, together with a statement of their estimates and payments effected. The Permanent Disarmament Commission, in verifying these statements, might ask the Governments for necessary explanations and inform them of any modifications which they desired to make in the figures submitted, indicating the reasons for the changes so requested.

It was contemplated that the Permanent Disarmament Commission would follow the progress made by the States in the presentation of the information required and, by a continuous examination of this information as a whole, would be able to follow the financial provision made by each State for its national defence, observing at the same time, with the help of the information thus received, the variations in the military forces of each country. A schedule of national defence expenditure, instructions for the forwarding of budgets, forms of account, model statements were at the same time established. Finally, a draft Final Act was approved, summarising a series of declarations in regard to matters which, without being subject to contractual obligations, were regarded as of importance with a view to completing a system of publicity.

The Committee of the Bureau, constituted in October to deal with the question of supervision, provisionally framed draft texts concerning the use to be made by the Permanent Disarmament Commission of information coming from an unofficial source; concerning the majorities required for the decisions of the Commission and its

Committees, particularly in the event of an investigation on the spot as the result of a complaint; concerning the question of periodical investigations on the spot and the constitution and working of the committees of supervision instructed to undertake these investigations.

Finally, a draft text was established relating to moral disarmament, dealing with education, co-operation between intellectual circles and others, working in favour of peace, wireless and the cinema. Under these drafts, which were of a provisional character and which, subject to decisions to be taken by the General Commission, may be reconsidered and amended, the High Contracting Parties undertook to do what lay in their power to ensure that education in all its grades should be so conducted as to inspire mutual respect among the nations and to emphasise their interdependence. The contracting parties would do what they could to arrange that persons entrusted with education and the books used in education should be inspired by these principles, and would encourage the use of the cinema and wireless in order to increase a good understanding between the nations. They would also endeavour to facilitate co-operation in moral disarmament between administrative and other circles working generally on behalf of peace.

## II. — CO-OPERATION OF THE PRESS IN THE ORGANISATION OF PEACE.

The Assembly, in 1932, expressed the hope that a Press Conference, similar to that which met in January 1932 at Copenhagen, might be convened to give effect to the recommendations made in the course of the recent enquiry addressed to the Press Associations as to methods of avoiding the dissemination of false news likely to disturb the maintenance of peace and the good understanding between nations.

The Assembly, in 1933, was informed that the Spanish Government had decided to convene at Madrid in November a Conference which would respond to this recommendation.

The Assembly expressed its keen satisfaction and hoped

that next year it would be able to note the successful results of the Conference.

The Assembly also expressed the hope that the Secretary-General would continue to develop by every means in his power a rapid communication to the Press of complete information upon the activities of the League of Nations.

The Conference convened by the Spanish Government met at Madrid from November 7th to November 11th. It was attended by the Directors of Government Press Bureaux, particularly the European bureaux, representatives of the important news agencies and delegates from international associations of journalists and associations of editors and newspaper proprietors. The decisions of the Conference were communicated to the Council in January 1934.

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CHAPTER II

**THE PERMANENT COURT  
OF INTERNATIONAL JUSTICE**

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- I. The Statute of the Court. — II. Jurisdiction of the Court : Extension of Compulsory Jurisdiction. — III. Election of President and Vice-President. — IV. Work of the Court.

I. — THE STATUTE OF THE COURT.

On January 1st, 1933, forty-seven States<sup>1</sup> had ratified the Protocol of Signature, dated December 16th, 1920, to which the Statute is attached; by December 31st, 1933, two further States—the Dominican Republic and Paraguay—had also ratified. Six States<sup>2</sup> have signed the Protocol without so far ratifying it. The Protocol still remains open for the signature of seven States<sup>3</sup> who may sign it as of right.

By December 31st, 1933, the Protocol of September 14th, 1929, concerning the revision of the Court's Statute, had been ratified by all the States<sup>4</sup> who had already ratified the Protocol of 1920 except Brazil, Ethiopia, Panama, and

<sup>1</sup> Union of South Africa, Albania, Australia, Austria, Belgium, Brazil, United Kingdom, Bulgaria, Canada, Chile, China, Colombia, Cuba, Czechoslovakia, Denmark, Estonia, Ethiopia, Finland, France, Germany, Greece, Haiti, Hungary, India, Irish Free State, Italy, Japan, Latvia, Lithuania, Luxemburg, Netherlands, New Zealand, Norway, Panama, Persia, Peru, Poland, Portugal, Roumania, Salvador, Siam, Spain, Sweden, Switzerland, Uruguay, Venezuela, Yugoslavia.

<sup>2</sup> Bolivia, Costa Rica, Guatemala, Liberia, Nicaragua, United States of America.

<sup>3</sup> Argentine, Ecuador, Honduras, Iraq, Mexico, Saudite Arabia, Turkey.

<sup>4</sup> Six of the ratifications—those of Chile, the Dominican Republic, Lithuania, Paraguay, Uruguay and Venezuela—were deposited after January 1st, 1933.

The Protocol of 1929 has also been ratified by one State—Liberia—which had signed but not ratified the Protocol of 1920.

Peru. The ratification of these four States is requisite for the coming into force of the Protocol.<sup>1</sup> The Protocol has been signed (but not ratified) by eight States<sup>2</sup> and is open to signature by four other States who may sign as of right.<sup>3</sup>

## II. — JURISDICTION OF THE COURT : EXTENSION OF COMPULSORY JURISDICTION.

On January 1st, 1933, forty States<sup>4</sup> were bound by the Optional Clause provided for in Article 36 of the Statute of the Court, and had, accordingly, accepted the jurisdiction of the Court as compulsory for certain or all classes of legal disputes.

By December 31st, 1933, the number of States thus bound had risen to forty-two, the Dominican Republic and Paraguay having meanwhile ratified their declarations of acceptance.<sup>5</sup>

By the same date, six further States had signed the Optional Clause, though they are not yet bound by it. Two of these States<sup>6</sup> had signed the clause without reservation as to ratification, but had not ratified the Statute of the Court itself; while four States<sup>7</sup> had not yet ratified

<sup>1</sup> In a letter, dated July 5th, 1933, the Foreign Minister of Panama informed the Secretary-General that, owing to the fact that the National Assembly had not yet given its approval, the Government of Panama had not yet ratified the Protocol of 1929 but had no objection to its coming into force. It should also be noted that paragraph 7 of the Protocol of 1929 provides that the United States of America shall, for the purposes of that Protocol, be in the same position as a State which has ratified the Protocol of 1920. In a letter to the Secretary-General of June 25th, 1930, the Secretary of State of the United States, however, intimated that he saw no reason to object to the coming into force of the Protocol of 1929, which had not been ratified by the United States.

<sup>2</sup> Bolivia, Brazil, Ethiopia, Guatemala, Nicaragua, Panama, Peru, United States of America.

<sup>3</sup> Costa Rica, Iraq, Mexico, Turkey.

<sup>4</sup> Union of South Africa, Albania, Australia, Austria, Belgium, Brazil, United Kingdom, Bulgaria, Canada, Colombia, Denmark, Estonia, Ethiopia, Finland, France, Germany, Greece, Haiti, Hungary, India, Irish Free State, Italy, Latvia, Lithuania, Luxemburg, Netherlands, New Zealand, Norway, Panama, Persia, Peru, Portugal, Roumania, Salvador, Siam, Spain, Sweden, Switzerland, Uruguay, Yugoslavia.

<sup>5</sup> In 1933, the acceptance of the Optional Clause by one State—Germany—expired; it was, however, renewed for another period of five years.

<sup>6</sup> Costa Rica, Nicaragua.

<sup>7</sup> Czechoslovakia, Guatemala, Liberia, Poland.

their declarations of acceptance by the said date. The clause is open for the signature of fourteen other States.<sup>1</sup>

Ten Conventions (treaties of arbitration and conciliation, commercial and navigation treaties or agreements entered into under the League's auspices), concluded in 1933, contain provisions granting a certain measure of jurisdiction to the Court. On December 31st, 1933, the total number of international agreements conferring jurisdiction on the Court was estimated at approximately 460.

### III. — ELECTION OF PRESIDENT AND VICE-PRESIDENT.

Under the terms of Article 21 of the Statute, "the Court shall elect its President and Vice-President for three years; they may be re-elected". It is the constant practice of the Court not to re-elect a President whose period has expired.

The last election took place in 1931 for the period expiring on December 31st, 1933. The new elections for the period from January 1st, 1934, to December 31st, 1936, were held on December 2nd, 1933, when Sir Cecil Hurst (United Kingdom) was elected President, and M. Guerrero (Salvador), Vice-President. The latter had occupied the position of Vice-President also during the period which is about to terminate.

### IV. — WORK OF THE COURT.

A. In 1933, the Court dealt with the following cases or with certain aspects thereof :

1. Delimitation of the Territorial Waters between the Island of Castellorizo and the Coasts of Anatolia;
2. Legal Status of Eastern Greenland;
3. Legal Status of South-Eastern Greenland;
4. Appeals from Judgments delivered on December 21st, 1931, and April 13th, 1932, by the Hungaro-Czechoslovak Mixed Arbitral Tribunal;

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<sup>1</sup> Argentine, Bolivia, Chile, China, Cuba, Ecuador, Honduras, Iraq, Japan, Mexico, Saudite Arabia, Turkey, United States of America, Venezuela.

5. Administration of the Prince von Pless;
6. The Polish Agrarian Reform and the German Minority;
7. Appeal from a Judgment delivered on February 3rd, 1933, by the Hungaro-Czechoslovak Mixed Arbitral Tribunal (Peter Pazmany University).

All these cases were submitted to the Court for judgment.

1. *Territorial Waters between Castellorizo and Anatolia*  
(Italy v. Turkey).

This case was submitted to the Court on November 18th, 1931, when a Special Arbitration Agreement concluded between Italy and Turkey was filed. In this Agreement, the Court was requested to give its decision upon certain questions which had arisen in connection with the delimitation of the territorial waters between the island of Castellorizo and the coasts of Anatolia.

On January 3rd, 1933, however, the Italian and Turkish Governments informed the Court, and requested it to note, having regard to the provisions of Article 61 of its Rules, that they were discontinuing the proceedings contemplated by the Special Arbitration Agreement.

According to this communication, the dispute which had arisen between Italy and Turkey regarding the ownership of the islands, islets and rocks adjacent to the island of Castellorizo had been settled by an Agreement concluded at Ankara on January 4th, 1932.

On January 26th, 1933, the Court made an Order recording that the proceedings begun before it in regard to this case were terminated, and deciding to remove the case from its list.

2. *Eastern Greenland* (Denmark v. Norway).

On July 10th, 1931, the Norwegian Government promulgated a declaration of occupation of the territories in Eastern Greenland situated between latitudes  $71^{\circ} 30'$  and  $75^{\circ} 40'$  North. These territories were, in the submission of the Danish Government, subject to the sovereignty of Denmark.

The case was submitted to the Court by an Applica-

tion instituting proceedings, filed on July 12th, 1931, by the Danish Government under the "Optional Clause" provided for in Article 36 of the Statute.

The Court's judgment was delivered on April 5th, 1933. By twelve votes to two, the Court decided that the declaration of occupation, and any steps taken in this respect by the Norwegian Government, constituted a violation of the existing legal situation and were accordingly unlawful and invalid. Of the two dissenting judges, one — M. Anzilotti, judge — arrived at the same conclusion as the Court, though for different reasons, whilst the other — M. Vogt, national judge — held that the Danish claim should be rejected. Two judges, M. Schücking and M. Wang, whilst concurring in the judgment, appended thereto some brief observations.

The statement of fact and law upon which the Court's decision is based may be summarised as follows :

The Court recalls that the island of Greenland was discovered about A.D. 900, and that, a century later, settlements were founded there which, in the thirteenth century, became tributary to the King of Norway, but disappeared before 1500. Their disappearance, however, did not put an end to the claim of the King — who had meantime become King of Denmark and Norway — to sovereignty over Greenland; and, more especially in the seventeenth century, this claim was acted upon and, to some extent, recognised. In 1721, Hans Egede founded new colonies in Greenland, and, subsequently, the King promulgated a series of decrees and granted several successive concessions in respect, in some cases, of the colonies founded on the west coast of Greenland and, in other cases, of the country, without any specification of limits.

Under the Treaty of Kiel of 1814, the King of Denmark ceded to Sweden the Kingdom of Norway, excluding, however, Greenland, the Faroe Islands and Iceland.

The Court recalls that in 1894 and 1925 two fresh Danish colonies were founded on the east coast (Angmagssalik and Scoresby Sund); that at the beginning of the twentieth century Denmark enacted legislation covering the whole of Greenland; and that, since 1814, it has been the practice of the Danish Government to insert in

treaties concluded by it a stipulation excepting Greenland from the operation of the treaty.

The Court also recalls that, whilst the Danish Government acted on the assumption that Danish sovereignty extended to the whole of Greenland, private individuals had, at times, expressed a fear that some foreign State might permanently occupy territories in Greenland which Denmark had not effectively occupied. It is in the light of these conflicting views that the Court considers the steps taken by the Danish Government between 1915 and 1921 to obtain recognition of its sovereignty over all Greenland by the interested Powers.

The Danish Government first approached the United States of America, which in 1916 gave a favourable answer. In 1919, a verbal request to the same effect was addressed to M. Ihlen, the Norwegian Minister for Foreign Affairs; the answer given verbally by the latter — the “Ihlen Declaration” so often mentioned in this case — was favourable : “the Norwegian Government would not make any difficulties in the settlement of this question”. In the following year, Denmark approached the British, French, Italian and Japanese Governments : their replies satisfied the Danish Government. Lastly, at the beginning of 1921, the Danish Government approached the Swedish Government — which made no difficulty — and the Norwegian Government.

The latter was not prepared to adopt the same attitude unless it received certain safeguards for the freedom to hunt and fish which Norwegians had enjoyed in Eastern Greenland. In face of this opposition, the Danish Government declared that it would rest content with the “Ihlen Declaration”, and issued a decree closing the whole of Greenland. Negotiations ensued which resulted in the conclusion of the Convention of July 9th, 1924, respecting the east coast; this Convention only deals with certain practical questions, and by notes exchanged the same day the two Governments reserved their “opinion on questions of principle concerning Greenland” — *i. e.*, questions concerning the international status of the country (Danish sovereignty or *terra nullius*).

The last part of the statement of facts relates the immediate origin of the conflict : the conferring of police

powers in Eastern Greenland, in 1930, on certain Norwegian nationals; the putting into execution in the same year of the Danish "three years' plan" for research in Eastern Greenland; and the fact that the prolonged diplomatic discussion which ensued led to no result.

In its statement of the law, the Court observes that the Danish claim is founded on the contention that the area occupied was, at the time of the occupation, subject to Danish sovereignty. In support of this contention, the Danish Government advances two main propositions : the uncontested enjoyment, for a long time past, of sovereignty over all Greenland; and the recognition of that sovereignty by Norway.

The Norwegian Government submits that, as the territory occupied lies outside the limits of the Danish colonies in Greenland, it was a *terra nullius*; and that, in view of Denmark's overtures to the Powers in 1915-1921, she is now estopped from alleging a long-established sovereignty, extending over the whole country.

The Court observes that the first of the Danish arguments is not founded upon any particular act of occupation, but on an alleged title resulting from the pacific and continuous display of State authority. The Court comes to the conclusion that, prior to 1814, the King of Denmark and Norway had displayed his authority over Greenland to a degree sufficient to confer on him a valid title to sovereignty over the whole country. By the Treaty of Kiel, signed in 1814, Greenland, which had previously been a Norwegian possession, became a possession of Denmark.

As regards the succeeding period (1814-1915), Denmark relies, *inter alia*, on the long series of Conventions concluded by her, and containing a clause excluding Greenland, and the Court holds that, during this period also, Denmark displayed her authority over the region in question to a degree sufficient to give her a valid title to sovereignty.

The Court does not consider that this conclusion is invalidated by the overtures which Denmark made to the Powers from 1915 to 1921 : there is no ground for holding that the attitude of the Danish Government was an admission that it possessed no sovereignty over the uncolonised

region, nor for holding that it was estopped from claiming a long-established sovereignty over all Greenland.

The Court next proceeds to show that, even if the period 1921-1931 is taken by itself, the legislative, administrative and scientific activities of Denmark during these years in the uncolonised parts of Greenland lead to the conclusion that Denmark displayed and exercised her sovereign rights over the territory to an extent sufficient to constitute a valid title to sovereignty.

It follows that the Court is satisfied that Denmark has established that, on July 10th, 1931, the date of the Norwegian occupation, she possessed a valid title, which rendered that occupation unlawful and invalid.

The second Danish argument is based on the alleged existence of undertakings by Norway which recognised Danish sovereignty over all Greenland. The Court considers that undertakings of this sort were given in three cases.

In the first place, the Court holds that, on the occasion of the financial settlement which followed the dissolution of the Danish-Norwegian Union in 1814, Norway undertook not to dispute Danish sovereignty over Greenland.

Secondly, the Court finds an undertaking to the same effect, binding upon Norway, in various bilateral agreements concluded by Norway with Denmark, as also in various multilateral agreements to which both Norway and Denmark were contracting parties.

Thirdly, the Court examines the "Ihlen Declaration". In this connection, it rejects the Danish contention that the declaration was a recognition of an existing Danish sovereignty in Greenland. But it holds that the declaration constitutes an engagement obliging Norway to refrain from occupying any part of Greenland.

### 3. *Legal Status of South-Eastern Greenland* (Norway *v.* Denmark; Denmark *v.* Norway).

By a Royal Decree of July 12th, 1932, the Norwegian Government declared that it had proceeded to occupy the territory on the south-east of Greenland between latitudes 63° 40' and 60° 30' North. By an Application,



accompanied by a request for interim measures of protection, dated July 18th, 1932, the Norwegian Government instituted proceedings against the Danish Government and asked for judgment to the effect that the placing of the above-mentioned territory under the sovereignty of Norway was legally valid. On the other hand, by means of an Application also dated July 18th, 1932, the Danish Government instituted proceedings against the Norwegian Government and asked the Court for judgment to the effect that the promulgation of the Decree of occupation and any steps taken in this respect by the Norwegian Government constituted a violation of the existing legal situation and were accordingly illegal and invalid.

By an Order of August 3rd, 1932, the Court dismissed the request for indication of interim measures.<sup>1</sup>

In a letter of April 18th, 1933, the Norwegian Government's agent informed the Court that, by a Royal Decree of April 7th, 1933, his Government had revoked the Royal Proclamation of July 12th, 1932, and that, in these circumstances, it withdrew the Application of July 18th, 1932. The same day, the Danish Government's agent, for his part, informed the Court that, as the Norwegian Government had notified the Danish Government of the withdrawal of its declaration of occupation, the Danish Government, pursuant to Article 61 of the Rules of Court, withdrew its Application of July 18th, 1932.

In these circumstances, the Court, by an Order of May 11th, 1933, noting these declarations of withdrawal, declared the proceedings in this case closed and decided that it should be removed from the list.

4. *Appeals from Certain Judgments of the Hungaro-Czechoslovak Mixed Arbitral Tribunal (Czechoslovakia v. Hungary).*

On July 11th, 1932, the Czechoslovak Government filed an Application "appealing from the judgments of December 21st, 1931, of the Hungaro-Czechoslovak Mixed Arbitral Tribunal concerning questions of jurisdiction in the case of Alexander Semsey and Others v. the State of

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<sup>1</sup> See *The League from Year to Year, 1931-32*, page 67.

Czechoslovakia (No. 321) and in the case of Wilhelm Fodor *v.* the State of Czechoslovakia (No. 752)". On July 25th, 1932, the same Government filed an Application "appealing from the judgment of April 13th, 1932, of the Hungaro-Czechoslovak Mixed Arbitral Tribunal upon merits in the case of the *Ungarische Hanf- und Flachsindustrie v.* (1) the State of Czechoslovakia and (2) the Flax Spinners' Association (No. 127)".

On October 24th, 1932, the Hungarian Government raised preliminary objections to the Court's jurisdiction in these cases.

In a letter dated April 8th, 1933, the Czechoslovak Government's agent informed the Court that his Government withdrew the "appeals" in question. On being informed of the contents of this letter, the Hungarian Government's agent, in a letter of April 18th, 1933, declared that the Hungarian Government noted the withdrawal of the suits and the fact that, accordingly, the proceedings were terminated.

The Court made an Order on May 12th, 1933, in which it noted the declarations of the two agents, declared the proceedings in these suits terminated and decided that they should be removed from the list.

5. *Administration of the Prince von Pless*  
(Germany *v.* Poland).

On May 18th, 1932, the German Government brought before the Court a suit against the Polish Government founded on an alleged violation by the Polish Government of certain obligations incumbent upon it under the Geneva Convention of May 15th, 1922, concerning Upper Silesia, in regard to the Administration of the Prince von Pless, a Polish national belonging to the German minority in Polish Upper Silesia.

The Application of the German Government was based on Article 72 of the Geneva Convention, according to which any difference of opinion between the parties as to questions of law or of fact arising out of the preceding articles might be referred to the Court by any Member of the Council of the League of Nations. In the Applica-

tion, the German Government asked for judgment to the effect that the attitude of the Polish Government and authorities towards the Administration of the Prince von Pless in the matter of income-tax for 1925-1930 was in conflict with Articles 67 and 68 of the same Convention; that acts of the fiscal authorities in conflict with these provisions were, according to Article 65 of the Convention, null and void; that the Polish Government was bound to indemnify the Prince for the damage resulting from the attitude referred to; and that the Pless Administration enjoyed full liberty to engage its employees and workmen, regardless of race and language.

On October 8th, 1932, the Polish Government raised a preliminary objection to the Court's jurisdiction in the case.

By an Order rendered on February 4th, 1933, the Court joined the objection to the merits of the suit, in order to pass upon the objection and, if the latter were overruled, upon the merits, by means of a single judgment.

In the recitals of the Order, the Court points out that the treaty clause, on the basis of which the suit was brought, presupposes the existence of a difference of opinion between the parties. Poland, however, maintains that no such difference exists. The Court is of opinion that this point cannot be ascertained except on the basis of a full knowledge of the facts alleged by the applicant, such as can only be obtained from the proceedings on the merits.

The Court next recalls that Poland maintains, in the second place, that the German Application is inadmissible so long as the Prince von Pless has not exhausted the means of redress open to him under Polish law. Appeals against several decisions cited in the case were, in fact, pending before the Supreme Polish Administrative Tribunal. Without passing upon the question of the applicability of the principle of the exhaustion of internal means of redress, the Court considers that it will be an advantage to be acquainted with the decisions on appeal of this tribunal; accordingly, it proposes to arrange its procedure — that is to say, fix the time-limits — with this end in view.

On May 3rd, 1933, the German Government requested

the Court "to indicate to the Polish Government, as an interim measure of protection, pending the delivery of judgment upon the Application of May 18th, 1932, that it should abstain from any measure of constraint in respect of the property of the Prince von Pless, on account of income-tax".

On May 8th, 1933, the Polish Government sent the Court a declaration to the effect that the summonses for payment in respect of the payment of the income-tax of the Prince von Pless for the years 1927-1930, on which the request for interim measures was based, had been sent to the Prince by an oversight; that the higher authorities had annulled the warrant above mentioned; that the Polish Government would suspend measures of constraint in respect of the income-tax of the Prince for the years 1925-1930; and that it would not collect these taxes until the Court had finally decided the dispute. On being notified of this declaration, the German Government informed the Court that it was in agreement with the course adopted by the Polish Government for the settlement of this question, and requested the Court, applying by analogy Article 61, paragraph 1, of the Rules, to take note of the agreement reached.

In these circumstances the Court, on May 11th, 1933, made an Order whereby it noted the fact that the Polish Government had annulled the measures of constraint, took note of the declarations of the two Governments and stated that the request for the indication of interim measures of protection had ceased to have any object.

On October 27th, 1933, the German Minister at The Hague addressed a letter to the Registrar stating that the German Government, in view of its declaration of October 19th, 1933, to the effect that Germany was withdrawing from the League of Nations, did not intend to proceed with, *inter alia*, the case relating to the Administration of the Prince von Pless.

In conformity with the Rules of Court, this communication was transmitted to the other party, and, by a letter dated November 15th, 1933, M. Sobolewski, agent for the Polish Government in the case above mentioned, informed the Registrar that, in view of the attitude of the German

Government indicated by the latter's note of October 27th, 1933, the Polish Government had no objection to the discontinuance of proceedings in this case and, as it accordingly considered it closed, "requested the Court officially to record the fact".

On December 2nd, 1933, the Court made an Order whereby it first noted the communication received on October 27th, 1933, from the German Minister at The Hague, to the effect that the German Government withdrew the suit submitted by its Application of May 18th, 1932; secondly, it placed on record the declaration of the Polish Government's agent to the effect that that Government acquiesced in this withdrawal; and, lastly, declared the proceedings begun by this Application of the German Government to be terminated, and ordered the case to be removed from the list.

#### 6. *The Polish Agrarian Reform* (Germany v. Poland).

On July 3rd, 1933, the German Government filed an Application instituting proceedings in the case concerning the application of the Polish agrarian reform to the German minority in the voivodeships of Posnania and Pomerelia, and kindred questions. This application was submitted by the German Government relying on the right conferred upon it, in its capacity as a Member of the Council of the League, by Article 12 of the Treaty concluded on June 28th, 1919, between the Principal Allied and Associated Powers and Poland. The German Government alleged that the Polish Government had acted contrary to the obligations which it had assumed under Articles 7 and 8 of the said Treaty, by discriminating against Polish nationals of German race, to their detriment, in the carrying out of the agrarian reform, and it requested the Court to declare that violations of the Treaty had been committed and to order reparation to be made.

Simultaneously with the Application, the German Government filed a request for the indication of interim measures of protection. The request, which had for its object the maintenance of the *status quo* pending the Court's definitive judgment, was founded on a statement of facts which, according to the German Government, revealed

the imminent danger in which the landowners of the German minority were placed and the necessity for safeguarding the rights of the minority.

On July 29th, 1933, the Court delivered an Order by which, for reasons of form, it dismissed the request for the indication of interim measures.

On October 27th, 1933, the German Minister at The Hague addressed a letter to the Registrar stating that the German Government, in view of its declaration of October 19th, 1933, to the effect that Germany was withdrawing from the League of Nations, did not intend to proceed with, *inter alia*, the case relating to the Polish Agrarian Reform.

In conformity with the Rules of Court, this communication was transmitted to the other party, and, by a letter dated November 15th, 1933, M. Sobolewski, agent for the Polish Government in the case above mentioned, informed the Registrar that, in view of the attitude of the German Government indicated by the latter's note of October 27th, 1933, the Polish Government had no objection to the discontinuance of proceedings in this case and, as it accordingly considered it closed, "requested the Court officially to record the fact".

On December 2nd, 1933, the Court made an Order whereby it first noted the communication received on October 27th, 1933, from the German Minister at The Hague, to the effect that the German Government withdrew the suit submitted by its Application of July 1st, 1933; secondly, it placed on record the declaration of the Polish Government's agent to the effect that that Government acquiesced in this withdrawal; and, lastly, declared the proceedings begun by this Application of the German Government to be terminated, and ordered the case to be removed from the list.

7. *Appeal from a Judgment of the Hungaro-Czechoslovak Mixed Arbitral Tribunal (Peter Pazmany University) (Czechoslovakia v. Hungary).*

This case had been brought before the Court in virtue of an article in the agreements concerning "Eastern Reparations" concluded at Paris in April 1930, which

provides "a right of appeal" to the Court in respect of judgments on questions "of jurisdiction or merits" delivered by the Mixed Arbitral Tribunals in cases of certain kinds.

The origin of this suit and the facts involved may be summarised as follows :

In 1635, Cardinal Peter Pazmany founded a university at Nagyszombat, for which in the same year he obtained from the King of Hungary the customary privileges. The university was transferred in 1777 to Buda, and in 1783 to Pest. In 1775, Queen Maria Theresa bestowed upon it, as a perpetual endowment and foundation, certain estates situated in Slovakia; this donation was confirmed in 1780 and in 1804, and possession of the estates was formally taken in 1781 and 1804.

About the time of the armistice of November 3rd, 1918, forces of the Austro-Hungarian army, which had become Czechoslovak, penetrated into the northern territories of Hungary, followed by the new Czechoslovak civil authorities; the latter then took possession of the property situated in Slovakia, which had been given to the university. In 1919 this property was placed under the administration of a "Central Commission", which had the right to decide how the revenues were to be employed. In the Treaty of Trianon it is laid down (in Article 250) that the property of Hungarian nationals situated in the territories of the former Austro-Hungarian monarchy is to be restored to its owners freed from certain measures therein specified; it is also stated (Article 246) that the expression "Hungarian nationals" comprises juridical persons.

On the basis of these provisions, the university, in December 1923, instituted proceedings before the Hungaro-Czechoslovak Mixed Arbitral Tribunal, claiming the restitution of its property in Slovakia freed from all measures restricting its right to dispose thereof.

The Czechoslovak Government having lodged an objection to the jurisdiction in November 1926, the Tribunal, in April 1932, decided to join the objection to the merits; on February 3rd, 1933, it rendered an award declaring itself to have jurisdiction under Article 250 of the Treaty

of Trianon and ordering the restitution to the university of the property in the condition in which it was before the application of the measures taken in respect of it by the Czechoslovak authorities. Against this award, Czechoslovakia "appealed" to the Court.

In the proceedings before the Court, the Czechoslovak Government's principal submission was that the Mixed Arbitral Tribunal had been wrong in declaring itself to have jurisdiction and that the university had also been wrong in claiming the immovable property in question.

In its judgment, the Court states that the Paris Agreement of 1930 constitutes a special agreement of submission and that the suit before it fulfils the conditions as to its jurisdiction laid down by that agreement and by the Court's Statute. It then goes on to consider the submission of Czechoslovakia, and first of all examines whether, in this case, the various conditions laid down by Article 250 of the Treaty of Trianon have been fulfilled. These conditions are : that the claim must be submitted by a Hungarian national; that the claim must relate to the property of Hungarian nationals; and that these nationals must have been deprived of the property in question as the result of measures mentioned by the article.

As regards the first of these conditions, the Czechoslovak Government contended that the university did not possess a personality in law. The Court, however, held that there was no incompatibility between the legislative provisions invoked by Czechoslovakia in this connection and the possession by the university of personality in law.

As regards the second condition, the Czechoslovak Government maintained that, in any case, the rights of ownership in respect of the property in issue belonged not to the university but to another juridical person—namely, the "University Fund". The Court, however, reached the conclusion that no juridical person of this name exists and that the term "University Fund" is simply an expression denoting the university in the "sphere of law".

But the Czechoslovak Government further contended that Article 250 only covered so-called "private" property



and that the property in issue was "public" property. In regard to this, the Court observes that this distinction is not recognised by the Treaty of Trianon, which, for the application of its provisions, takes only two factors into account : the person to whom the property belongs, and the territory in which it is situated.

Finally, as regards the third condition, the Court reaches the conclusion that the measures applied to the university's property by Czechoslovakia were measures of compulsory administration and supervision, falling under Article 250; as these measures, which were applied in 1918-19, have been maintained in force subsequent to the entry into force of the Treaty of Trianon in 1921, they must be revoked.

The Court, in this connection, considers and rejects a series of objections raised by the Czechoslovak Government. The most important of these was that, under the article, the measures contemplated therein need only be revoked if and in so far as they involve an element of "discrimination".

The Court therefore arrives at the conclusion that the Mixed Arbitral Tribunal, in its judgment, rightly decided that it had jurisdiction, that the university's claim was justified and that the Czechoslovak Government was bound to restore the university's property freed from the measures taken in respect thereof.

The Court's decision was adopted by twelve votes to one, two judges, who had been unable to remain at The Hague pending the delivery of the judgment, concurring. The dissenting judge, M. Hermann-Otavsky (Czechoslovakia) filed a separate opinion.

B. *Case pending before the Court on December 31st, 1933 :  
The Lighthouses Case between France and Greece.*

This case was submitted to the Court on May 23rd, 1933, when a Special Arbitration Agreement concluded between France and Greece was filed.

This dispute relates to the question whether the contract concluded on April 1st-14th, 1913, between the French firm, Collas & Michel, known as "Administration générale

des Phares de l'Empire ottoman", and the Ottoman Government, extending the concession contracts granted to this firm from September 4th, 1924, until September 4th, 1949, was regularly concluded, and accordingly whether it is operative as regards the Greek Government, in so far as concerns lighthouses situated in territories allocated to that Government after the Balkan wars, or subsequently.

The case will be ready for hearing on January 26th, 1934.

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## CHAPTER III

### LEGAL AND CONSTITUTIONAL QUESTIONS

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I. System of Elections to the Council. — II. Simplification of the Procedure of the Assembly. — III. Penal and Penitentiary Questions. — IV. Nationality of Women. — V. Registration of Treaties.

#### I. — SYSTEM OF ELECTIONS TO THE COUNCIL.

I. — 1. The Portuguese delegation, on September 25th, 1931, communicated to the General Committee of the Assembly a declaration complaining that the system of elections to the Council in force had the effect of preventing States which did not form part of certain groups from becoming Members of the Council. The Portuguese delegation proposed that, in order to remedy the situation, the number of members composing the Council should be increased by one.

The Assembly, in a resolution adopted on September 25th, 1931, asked the Council of the League of Nations to instruct a special committee to study the present system of elections to the Council and to submit a report to a later session of the Assembly on any reforms which might seem desirable.

The Committee was established under a resolution adopted by the Council on January 29th, 1932, and it consisted of the representatives of fifteen States. The Committee held three sessions and adopted, on May 19th, 1933, a report for submission to the Council and to the Assembly, the two bodies whose intervention was necessary under Article 4 of the Covenant of the League of Nations for increasing the number of Members of the Council.

The Committee, in its report, noted that representation

on the Council, apart from the permanent Members and the two non-permanent Members who hitherto had been declared re-eligible, was in effect limited to States which formed part of certain groups. These groups were the States of Latin America (three seats), the States formerly neutral (one seat), the States of the Little Entente (one seat), the British Dominions (one seat) and the States of Asia (one seat). There were some fifteen Members of the League of Nations which did not belong to these groups and had no real chance of entering the Council. The Committee, anxious to find a means of remedying this situation, considered two solutions. The first consisted in preserving the present number of non-permanent Members on the Council and in modifying the representation of the groups so as to permit of the representation of a new group consisting of States which had remained outside the existing groups. The second solution consisted in creating one or two new non-permanent seats.

The first solution, after consideration, was seen to be impracticable, and the Committee accordingly put forward the a second solution. The question arose whether the number of seats should be increased by one or by two. The Portuguese Government proposed an increase of two seats, so that the States hitherto not represented on the Council, which would form the new group, might enter the Council at intervals which would not be too distant. Several members of the Committee, however, objected that such an increase in the number of Members of the Council might result in decreasing its efficiency. Finally, therefore, the Committee agreed to propose a middle solution to the effect that the number of non-permanent seats on the Council should be increased provisionally from nine to ten for the period dating from the meeting of the Assembly in 1933 to the election of the non-permanent Members of the Council by the Assembly in 1936. It was understood that, in the light of the experience acquired, a final decision would be taken after a further consideration of the question.

2. The Committee proposed another reform, which consisted in the adoption of the following rule :

No Member of the League shall be eligible to be elected as a non-permanent Member of the Council unless it has proposed

itself for election, or been nominated by another Member of the League, at least forty-eight hours before the election, which shall not be held before the seventh day of the Assembly's session.

The notice of the candidature shall be given in writing to the Secretary-General, who shall forthwith bring it to the attention of the Assembly. The Secretary-General shall at the time of the election place before the Assembly a list of the Members which have been duly put forward as candidates.

II. — 1. The Assembly, in a resolution adopted on October 2nd, 1933, approved the proposal contained in the report of the Committee for a provisional increase in the number of non-permanent Members of the Council from nine to ten. The new system came into force following a decision of the Council adopted on October 4th, 1933, which was finally approved by the Assembly on October 9th, 1933.

2. The Assembly, by a resolution adopted on the same day, introduced into the rules for the election of the non-permanent Members of the Council the text relating to the declarations of candidature proposed by the Committee.

## II. — SIMPLIFICATION OF THE PROCEDURE OF THE ASSEMBLY.

1. Experience has shown that, of all the Committees of the Assembly, the Fourth Committee (Budget Committee) requires the longest period of time for its discussions, with the result that, on several occasions, the conclusion of the proceedings of the Assembly has been retarded owing to the fact that the Fourth Committee has not concluded its work.

To enable the Assembly to end its sessions earlier, and thus to effect an economy for the League of Nations and for the delegations to the Assembly, the Secretary-General suggested that the Fourth Committee should meet before the opening of the Assembly.

This suggestion, on the proposal of the General Committee of the Assembly, was referred to the First Committee. Various objections were made to the proposal in the First Committee. The question was raised whether

it was legally correct for a Committee which was an offshoot of the Assembly to meet before the Assembly had regularly come together, and whether the Fourth Committee might usefully work in the absence of the other Committees, to which its activities were often closely related. These objections were not considered to be decisive. Nevertheless, it seemed that, before finally adopting the proposed reform, it was desirable to make an experiment and that this experiment should be subject to certain conditions.

The resolution adopted by the Assembly on October 10th, 1933, on the proposal of the First Committee and with the approval of the Fourth Committee, provides that the President of the Council of the League of Nations, after consulting the Chairman of the Supervisory Commission, may, as an experiment, convene the Fourth Committee, in 1934, at a date preceding by eight days at most the first meeting of the ordinary session of the Assembly. It is provided that the Committee shall consist of representatives accredited for the purpose by the Members of the League. It will appoint its Chairman, who will become *ipso facto* a member of the General Committee of the Assembly.

It was further decided, with a view to accelerating the work of the Assembly, and again as an experiment, that, during the ordinary session in 1934, a new system should be followed in voting upon reports and resolutions. When the competent Committee has unanimously declared that it does not consider a discussion of the reports in plenary meeting to be necessary, and when no delegation has asked the President to open a discussion on the reports, which must be distributed to the delegations twenty-four hours before their submission to a plenary meeting, the President will confine himself to naming the reports and will immediately take a vote on the resolutions proposed.

Experience has shown that the present practice uselessly prolongs the later meetings of the Assembly, which has been obliged to devote time to the adoption of reports on questions which have been thoroughly discussed at public meetings of the Committees and in which the interest of the delegations and of the public has already been exhausted.

### III. — PENAL AND PENITENTIARY QUESTIONS.

The Assembly of the League of Nations, in a resolution adopted on September 23rd, 1931, instructed the Secretary-General to ask the various international organisations in what way the League of Nations might assist in the progressive unification of penal law and the co-operation of States in the prevention of crime.

The representatives of the seven organisations consulted by the League of Nations met at Geneva on May 8th, 9th and 10th, 1932. The seven organisations represented were the following : the International Penal and Penitentiary Commission; the Howard League for Penal Reform; the International Law Association; the Union internationale de droit pénal. They indicated certain directions in which attempts might be made to unify penal law and framed new draft statutes for the International Bureau for the Unification of Penal Law.

The Assembly, in 1932, on the proposal of the Fifth Committee, drew the special attention of Governments to the common reply submitted by the seven organisations. The Secretary-General then proceeded to a consultation of the Governments. Twenty-nine Governments — namely, the Governments of South Africa, Austria, Belgium, the United Kingdom, Bulgaria, Canada, China, Colombia, Czechoslovakia, Denmark, Estonia, Finland, France, Germany, Hungary, India, Italy, Latvia, Lithuania, Netherlands, Nicaragua, Norway, Poland, Roumania, Siam, Sweden, Turkey, Venezuela and Yugoslavia — forwarded their observations.

The question, as a result of this preparatory work, gave rise to a wide discussion in 1933 in the First Committee of the Assembly. There were two main currents of opinion. Some delegates thought that a certain uniformity in penal law should be introduced so as to ensure a more effective repression of crime and to bring the various legislations more into line to the extent in which uniformity seemed desirable. Other delegations, on the contrary, considered that a unification of penal legislation could hardly be secured except in the case of countries whose legislation was founded on identical legal principles and was derived from similar social ideas and

traditions. According to this view, work in the field of penal and penitential law could only be undertaken under the auspices of the League of Nations when, in respect of a definite and precise question, there was a prospect of achieving results which required international co-operation.

The resolution adopted by the Assembly on the proposal of the First Committee embodied a compromise between these two opinions. It was noted in this resolution that there had been a re-organisation of the International Bureau for the Unification of Penal Law by the entry into that body of representatives of six other organisations. It was further noted that the majority of the replies of the Governments was favourable, in principle, to the association of the League of Nations with penal and penitentiary questions. The Assembly accordingly expressed the view that, when the work of the organisations led to definite proposals, the League of Nations might usefully intervene with the object of securing the possible conclusion of international conventions, if such proposals responded to real practical needs, recognised as such by the organs of the League. In such cases, the procedure normally followed in the conclusion of conventions under the auspices of the League of Nations would apply.

The resolution further noted that the assistance offered by the seven technical organisations made it unnecessary for the League of Nations to create a special body to deal with penal and penitentiary questions and declared that, in cases regarded as appropriate by the bodies of the League, it was desirable that the organisations should consult these bodies.

The International Bureau for the Unification of Penal Law might be asked to give its assistance in preparatory investigations and, so far as law and practice in regard to penitentiary questions were concerned, recourse might be had to the International Penal and Penitentiary Commission.

#### IV. — NATIONALITY OF WOMEN.

The question of the nationality of women was placed on the agenda of the fourteenth session of the Assembly at the request of the delegation of Chile.



The Assembly, in 1932, had been asked to consider this question and, in a resolution which it had adopted, it had decided, among other things, to invite the Secretary-General to ask the Governments from time to time to furnish him with information as to the effect which they had been able to give to Recommendation No. VI of the Codification Conference,<sup>1</sup> with a view to enabling the Council, when the time came, to take further steps to deal with the question of the nationality of women.

The Assembly, without again examining the substance of the question, expressed the hope that, before the next session of the Assembly, the Governments would have put the Secretary-General in a position to communicate this information to the Council.

#### V. — REGISTRATION OF TREATIES.

In the period between January 1st, 1933, and December 31st, 1933, one hundred and ninety-four treaties and international agreements were submitted for registration by Members of the League of Nations or communicated by other States. The treaties registered were, as usual, very various in character : agreements relating to arbitration, conciliation and the pacific settlement of disputes, alcohol, liquor and drugs, trade, private law, navigation and Customs; consular and establishment agreements; economic, financial and fiscal agreements; agreements concerning the delimitation of frontiers, traffic over the frontiers, tonnage measurement; judicial and extradition Conventions; agreements relating to air navigation, fishing and fisheries; treaties of peace and friendship; postal, telephonic, telegraphic and wireless Conventions; Conventions relating to social, labour and refugee

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<sup>1</sup> The recommendation referred to in the resolution was as follows :

“ The Conference recommends to States the study of the question whether it would not be possible :

“ 1. To introduce into their law the principle of the equality of the sexes in matters of nationality, taking particularly into consideration the interests of the children;

“ 2. And especially to decide that, in principle, the nationality of the wife shall henceforth not be affected without her consent, either by the mere fact of marriage or by any change in the nationality of her husband.”

questions; agreements relating to the application of the Peace Treaties; health and transit Conventions; agreements concerning inland waterways and navigation, general relations, intellectual relations, etc.

The Secretariat has also registered large numbers of accessions, ratifications and denunciations of Conventions previously registered at the request of Members of the League, and further data relating to general Conventions already published.

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## CHAPTER IV

### ECONOMIC AND FINANCIAL WORK

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I. Monetary and Economic Conference. — II. Wheat Conference. — III. Work of the Economic Committee. — IV. Committee of Statistical Experts. — V. Work of the Financial Committee. — VI. Fiscal Committee. — VII. Re-organisation of the Fiscal System in Guatemala. — VIII. Economic Intelligence Service.

The meeting of the Monetary and Economic Conference in London, in June 1933, was, for the economic and financial work of the League, the principal event of the year. Differences of opinion in regard to currency stabilisation made it necessary at the end of a few weeks to adjourn the work of the Conference. The Conference, however, achieved or rendered possible important agreements regarding silver and wheat.

The Economic Committee and Financial Committee of the League of Nations, either in connection with the work of the Monetary and Economic Conference or upon their own account, extended their activities. The Financial Committee in particular studied with the Governments concerned measures intended to meet the financial difficulties of Austria, Bulgaria, Hungary and Greece.

#### I. — MONETARY AND ECONOMIC CONFERENCE.

The Preparatory Committee of Experts, which, under the chairmanship of M. Trip (Netherlands), met in the autumn of 1932,<sup>1</sup> established in January 1933, in conformity with its instructions, a draft annotated agenda for the Conference.

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<sup>1</sup> See *The League from Year to Year, 1932-33*, page 107

The Committee of Experts, after emphasising the gravity of the economic and monetary situation, declared that, to achieve a complete and lasting revival of general prosperity, it was necessary to settle the conflict which had arisen between the national economies.

In the field of monetary and credit policy, the object to be sought was the restoration of a genuine international monetary standard, to which the countries which had abandoned the gold standard might have recourse.

Moreover, the unprecedented fall in the prices of commodities had led to an increasing disequilibrium between cost prices and sale prices. This disequilibrium, which had added to the burden of all fixed debts and charges, had made business increasingly unprofitable and had resulted in a more extensive unemployment throughout the world. In order to combat the reduction in price levels, the experts contemplated a general policy of easy money designed to promote a healthy expansion of business and a better organisation of production and trade in the case of certain essential commodities such as wheat, important stocks of which weighed upon the markets of the world. Nevertheless, they were of the opinion that an increase in prices could only be maintained if there were a general improvement in international trade, which must itself depend on the abolition of restrictions and the restoration of financial confidence. The suppression of measures taken to control the exchanges was, in their view, an essential condition for the recovery of business. Such suppression, however, would only be possible if equilibrium were achieved in the balance of payments. In order to secure this equilibrium, each Government must make an effort to deal with its outstanding budgetary and economic problems.

In some cases these efforts would not suffice so long as there was a mass of short-term foreign debts which might at any moment be withdrawn. The objective must be to restore the confidence of the foreign lending markets. Fearing, however, that this restoration of confidence would be a slow process, the experts expressed the view that the Governments might consider the possibility of hastening the withdrawal of their restrictions upon the exchanges in such a way as to put into active circulation

the resources immobilised, with a view to enabling the countries which needed them to obtain stabilisation credits under appropriate conditions.

Finally, the experts declared that a greater freedom of international trade was essential. The progressive attenuation and complete suppression of exceptional impediments to trade, such as prohibitions and quotas imposed upon trade as a result of the crisis, would require general agreement on the part of the countries concerned. Moreover, in respect of tariffs, it was the duty of the Governments to frame agreement moderating and stabilising their economic policy. All efforts in the direction of a return to freedom of trade, however, were intimately connected with the stabilisation of currencies, since it was impossible to maintain an international economic system except on the basis of an international monetary system.

The experts proposed the following agenda for the Conference :

1. Monetary and credit policy;
2. Prices;
3. Resumption of the movement of capital;
4. Restrictions on international trade;
5. Tariff and treaty policy;
6. Organisation of production and trade.

The draft annotated agenda was communicated to the sixty-six States invited to the Conference.

The Organising Committee of the Council, which had previously entrusted the chairmanship of the Conference to Mr. Ramsay MacDonald, Prime Minister of the United Kingdom, decided, on April 29th, that the Conference should be convened to meet in London on June 12th.

The Organising Committee, at a last session held on May 12th, declared itself in favour of a proposal submitted by the Government of the United States of America to the effect that a Customs truce should be instituted. It was suggested that the Governments, under the terms of the truce, should agree not to take, before the opening of the Conference or during its discussions, any initiative, particularly in the matter of tariffs, which might increase impediments to trade.

The proposal of the Government of the United States

was approved a few days later by the Council of the League of Nations, and sixty Governments successively adhered to it. Certain Governments, however, formulated reservations, stipulating, in particular, that they should retain the right to use their tariff policy to defend themselves against dumping from countries with depreciated currencies. It was understood that the truce would be valid if the Conference were prolonged to the end of July 1933, at which date the agreement might be denounced, subject to a notice of one month.

The Conference was opened on June 12th, under the chairmanship of Mr. Ramsay MacDonald. Sixty-four Governments were represented.

The Conference appointed M. Hymans (Belgium) to be its Vice-Chairman and decided that its bureau should consist of representatives of the following States: the Argentine, the United Kingdom, Canada, China, Czechoslovakia, France, Germany, Hungary, Italy, Japan, Mexico, the Netherlands, Spain, Sweden, the Union of Soviet Socialist Republics and the United States of America. The Conference then entered upon a general discussion, which was concluded on June 15th. It subsequently considered in detail the programme submitted on the basis of the draft annotated agenda and constituted two Commissions, on which all the States were represented, to study economic questions and monetary and financial questions respectively.

The Economic Commission, which worked under the chairmanship of M. Colijn (Netherlands), classified its work under four principal headings :

1. Commercial policy;
2. Indirect protectionism;
3. The co-ordination of production and marketing;
4. Public works.

Two Sub-Commissions were instructed to examine the questions included under the first three headings, while the questions coming under the fourth heading were discussed by the Commission itself.

The Sub-Commission on Commercial Policy, after having generally discussed the two chief problems submitted to it — namely, the abolition of quantitative

restrictions on imports and tariff policy, including the most-favoured-nation clause — found that its work was necessarily affected by the differences in principle which arose on the subject of currency stabilisation. The discussions of the Sub-Commission were based on the supposition that currencies would shortly be stabilised, at least in fact. When it became apparent that this supposition would not immediately be realised, several countries thought it necessary to reserve full freedom of action in the matter of quantitative limitations, the control of exchange operations and Customs tariffs. Although other countries were prepared to participate in framing a constructive programme, to be applied as soon as the currencies had been stabilised, the Conference found itself obliged to limit its activities to recording the points on which provisional agreement had been reached and the divergent opinions expressed as to the methods which would enable existing restrictions on trade to be eliminated or modified.

The Sub-Commission which dealt with the various aspects of indirect protectionism achieved rather more positive results. A resolution was adopted on indirect protectionism in general, in which it was proposed that the Governments participating in the Conference should study the possibility of inserting, in future, in commercial treaties a clause providing that, if one of the parties to the treaty considered that any measure (apart from Customs tariffs or questions explicitly regulated in the treaty) had the effect of nullifying or moderating the object of the treaty, the other party should not refuse to negotiate with a view to a friendly adjustment. It was further recommended that the attention of the Governments should be drawn to the Convention of 1923 for the simplification of Customs formalities, and the opinion was expressed that the work of the Economic Committee of the League of Nations, in respect of many of these points, was sufficiently advanced to justify convening a special conference at an appropriate date.

Progress was also made in the study of technical problems connected with veterinary and phyto-pathological regulations. The Sub-Commission dealing with these problems recommended that the Council of the League of Nations should convene a diplomatic conference for

the conclusion of veterinary conventions on the basis of drafts established by the Economic Committee of the League. It referred the scientific and technical questions raised by the regulation of the import and export of plants and other vegetable products to the International Institute of Agriculture. The Sub-Commission, in this connection, also laid down the principle that it was desirable for a consultation of the countries concerned to precede the application of new health measures of control or supervision applied to the trade in livestock and animal or vegetable products.

Differences of opinion precluded the adoption of unanimous recommendations, either concerning the problems raised by the increasingly severe stipulations attaching to marks of origin or concerning the question of bounties and subsidies. The discussion on the question of bounties and subsidies broke down, owing to the fact that an agreement was found to be impossible until a certain degree of stability had been secured for the national currencies. The Sub-Commission which studied this question confined itself to recording the points on which agreement had been reached and those in regard to which it had been impossible to reconcile the opinions put forward. The proposal submitted to the Economic Commission of the Conference by the International Labour Office to the effect that an international programme of public works should be seriously considered was the subject of a brief discussion in which divergent opinions were expressed. These proposals were not examined in detail.

The group of questions which referred to the co-ordination of production and marketing ultimately assumed a prominent place in the discussions of the Conference. The Sub-Commission studying this problem reached agreement at the outset of its work upon certain general principles which should govern all arrangements intended to guarantee the production and sale of certain commodities. These principles, though they were of a general character, in practice limited possible agreements to a restricted number of raw materials and food products. Committees of experts were appointed to deal with these commodities, which included sugar, wine, coffee, timber, coal, copper and tin. Meanwhile, negotiations between



experts who represented the principal wheat-exporting countries continued during the session of the Conference and were ultimately extended to other wheat-producing countries and to importing countries.<sup>1</sup> Though none of these Committees reached a definite agreement, a strong tendency was nevertheless apparent in the direction of strengthening the measures already taken for the international regulation of production and marketing by such organisations as the International Sugar Council and the International Tin Commission. Nevertheless, opinions were divided as to the desirability, in normal times, of concluding agreements for the regulation of production and trade, and several delegations, while recognising that exceptional circumstances might require such measures, intimated that it was essential, in their opinion, to avoid anything that might give the impression that the regulation of production was justifiable other than as a temporary expedient to meet abnormal conditions.

The Monetary and Financial Commission, which worked under the chairmanship of Mr. James M. Cox (United States of America), divided its work between two Sub-Commissions.

The first Sub-Commission was instructed to consider immediate measures of financial reconstruction. This included credit policy, price levels, the limitation of currency fluctuations, exchange control, indebtedness and resumption of international lending. The second Sub-Commission was instructed to deal with permanent measures for the re-establishment of an international monetary standard.

The second of these Sub-Commissions adopted two resolutions to the effect that it was in the interest of all concerned that stability in the international monetary field should be attained as quickly as practicable and that gold should be re-established as an international measure of exchange values, time and parity being for each country to determine. These resolutions were ultimately completed by two other texts which deprecated the use of gold for the necessities of internal circulation and contemplated the reduction of the legal minimum gold cover in countries

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<sup>1</sup> See below, page 98.

where the reserve used to cover the undertakings of central banks was fixed at a percentage. These last two resolutions were adopted upon the recommendation of a Sub-Committee of Experts which was instructed to consider the technical monetary problems raised in connection with the working of the gold standard. Further resolutions were adopted, based upon other recommendations made by the same Sub-Committee, recommending the creation of central banks in developed countries where they did not already exist, affirming once again the desirability for a close and continuous co-operation between the central banks, emphasising the important part which might be played in this connection by the Bank for International Settlements and, finally, recommending the agricultural countries, which desired assistance with a view to adapting their central banks to their special needs, to consult the international organisations which were specially qualified to advise them in these matters. The Sub-Committee further examined a statement of general principles governing the monetary policy of central banks, without recommending the Conference to adopt this statement in the form of a resolution. The statement, however, was approved by all the Governments represented on the Sub-Committee, with the exception of the United States, which thought that any consideration of this question was premature, but stated that the Federal Reserve Banks would, at an appropriate moment, be willing to discuss these questions with the other central banks, to an extent in which a consultation of this character was compatible with the various national policies.

Another Sub-Committee, consisting of representatives of the silver-producing countries and countries holding important stocks of silver, submitted a resolution which was intended to ensure stability in the silver market. The resolution was adopted and completed during the Conference by a definite agreement signed by the principal countries concerned. The principal provisions of the agreement included an undertaking on the part of the Governments holding important stocks of silver to limit their sales to a maximum figure which was to hold good for the five succeeding years, with a parallel undertaking on the part of the Governments of silver-producing countries to buy silver as compensation for the sales in question.

These provisions, completed by others under which all the Governments undertook, in principle, to abstain from debasing their silver currency, were intended to mitigate fluctuations in the price of silver occasioned by large sales of the demonetised metal.

The first Sub-Commission, which dealt with immediate measures of financial reconstruction, began its work with a general discussion on credit policy and price levels. While, however, this discussion was proceeding, the question of the stabilisation of the exchanges came up for consideration towards the end of June. During the first months of 1933, the principal currencies of the world had been relatively stable. The ratio between the pound sterling and the gold currencies had remained almost constant and a large number of other countries had maintained stability with the pound sterling. During April, the depreciation of the dollar, as compared with gold, had introduced a new disturbing factor, as had been recognised in official declarations published at the time of the meeting of the Conference. It had then been admitted that the stabilisation of the exchanges would be one of the essential problems to be discussed.

The negotiations which took place, while the Conference was in progress first appeared to offer some prospect of a prompt *de facto* stabilisation. The Government of the United States, however, in public statements, intimated that the application of its domestic programme of economic and financial reconstruction, with other measures which were aimed at achieving an increase in prices, did not enable it for the moment to give any undertaking regarding the stabilisation of the dollar exchange. When it became clear that there was no immediate possibility, either of securing monetary stabilisation by a control of the fluctuations of the dollar in relation with the gold currencies and the pound sterling or of concluding an international agreement under which the other countries would follow the United States in adopting a policy for increasing the level of prices, the discussions in the first Financial Sub-Commission reached a deadlock and were subsequently limited to the problem of external debts.

A resolution on the subject of external debts was adopted emphasising that debtors should do their utmost

to meet the service of their debts and to fulfil their contracts. It was recommended that, in cases where arrangements were recognised to be necessary, they should be concluded directly between debtors and creditors and be based on the debtors' ability to pay. It was emphasised, in respect of State loans, that it was to the interest of the creditors themselves to conclude arrangements which would permit of the adoption of a programme of economic and financial restoration by the debtor countries. Finally, it was urged that, in each of the countries concerned, it was desirable that there should exist organisations in a position to represent the several classes of foreign creditors.

The Conference adjourned on July 27th, after adopting reports submitted by its two Commissions and authorising its Bureau to take whatever action it might consider likely to promote the success of the Conference. It was understood that the Bureau might convene any of the Committees set up by the Conference or representatives of States especially concerned in any particular problem, or that it might refer to experts the study of any special question. The Bureau at the same time was authorised to fix the date of the next meeting of the Conference.

The Bureau appointed an Executive Committee, consisting of its Chairman and Vice-Chairman and of the Chairmen, Vice-Chairmen and representatives of the Commissions; to take measures, in the light of the development of the monetary and financial situation, for the resumption of work on the questions which the Monetary and Financial Commission had been asked to consider and for the execution of the proposals of the Economic Commission and its Sub-Commission.

The Executive Committee of the Bureau was, moreover, authorised to constitute a sub-committee to enquire into the question of public works when it considered that such a step was opportune.

## II. — THE WHEAT CONFERENCE.

On the initiative of the Economic Committee, the representatives of the four principal wheat-exporting countries — the Argentine, Australia, Canada and the

United States of America met at Geneva in May 1933, under the chairmanship of M. Schuller, Member and former Chairman of the Economic Committee.<sup>1</sup>

The consultations between these countries were continued in London during the session of the Monetary and Economic Conference, and the exporting countries of Europe were subsequently associated with them. Informal conversations were then opened between the wheat-exporting and the wheat-importing countries with a view to reaching an agreement as to the form of co-operation which would enable the exporting countries to undertake, as an exceptional measure, the regulation of their production and trade in wheat. A few days following the adjournment of the Conference, the four principal wheat-exporting countries asked the Secretary-General of the League of Nations, as Secretary-General of the Conference, to convene an international conference of the wheat-importing and wheat-exporting countries.

The Conference met in London from August 21st-26th, under the chairmanship of Mr. R. B. Bennett, Prime Minister of Canada. Thirty States attended the Conference : the Argentine, Australia, Austria, Belgium, the United Kingdom, Bulgaria, Canada, Czechoslovakia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Irish Free State, Italy, Lithuania, Netherlands, Poland, Portugal, Roumania, Spain, Sweden, Switzerland, Turkey, Union of Soviet Socialist Republics, United States of America and Yugoslavia.

An agreement was reached on the following provisions :

The overseas wheat-exporting countries (the Argentine, Australia, Canada and the United States) agree that their exports of wheat during the crop year August 1st, 1933, to July 31st, 1934, shall be adjusted, taking into consideration the exports of other countries, so as to conform to export maxima on the assumption that the world import demands during this period will amount to 560,000,000 bushels. During the succeeding crop year they agree to limit their exports to a figure 15 per cent less, in the case of each country, than the average output of the average acreage sown during the period 1931-1933 inclusive after deducting normal domestic requirements.

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<sup>1</sup> See below, page 101.

The difference between the effective world demand for wheat in the crop year 1934-1935 and the quantity of new wheat from the 1934 crop available for export will be shared between Canada and the United States as a supplementary export allocation, with a view to a proportionate reduction of their respective stocks.

The Governments of Bulgaria, Hungary, Rumania and Yugoslavia agree that their combined exports of wheat during the crop year August 1st, 1933 - July 31st, 1934, shall not exceed 50,000,000 bushels, it being understood that this total may be increased to a maximum of 54,000,000 bushels if this supplementary allocation is necessary to remove the exportable surplus of the 1933 crop. Further, they accept the same maximum export figure of 50,000,000 bushels for the crop year 1934-1935, on the understanding that this export figure shall not permit an extension of the area at present sown.

The Government of the Union of Soviet Socialist Republics agrees to limit its exports of wheat to a figure to be fixed later.

The Governments of the wheat-importing countries undertake :

(1) Not to take any measures either to extend their areas sown to wheat or to increase their internal production;

(2) To adopt any measure that may increase the consumption of wheat;

(3) To lower their Customs tariffs as the result of any appreciable increase in the price of wheat, these tariff reductions being introduced as soon as the international price of wheat reaches twelve gold francs per quintal and remains at that price for sixteen weeks;

(4) To accompany the reduction of their Customs tariffs by modifications in the general and quantitative restrictions in the import of wheat.

It was understood that the importing countries would not take advantage of the voluntary reduction of exports agreed to by the exporting countries to promote a policy which would render nugatory the efforts which these countries were making to increase the price of wheat to a remunerative level.

The application of the agreement was entrusted to an Advisory Wheat Commission, consisting of the representatives of seven importing and seven exporting countries.

This Commission, which works in co-operation with the Economic Organisation of the League of Nations and the International Institute of Agriculture, has its headquarters in London.

### III. — WORK OF THE ECONOMIC COMMITTEE.

The Council this year renewed the term of office of the members of the Economic Committee for a period of three years.

The Economic Committee has this year held two sessions. During the first session, held in May, it made arrangements for its participation in the work of the London Conference and considered the wheat problem.<sup>1</sup>

During its second session, held in November, the Committee considered certain questions referred to it for advice by the Monetary and Economic Conference.

The Monetary and Economic Conference contemplated the convocation in 1934 of a diplomatic conference to examine three draft veterinary conventions which had been framed in 1931 by a special Committee of experts.<sup>2</sup>

The three draft conventions deal with : (1) the organisation of veterinary services; (2) the transit of animals, meat and other products of animal origin, and (3) the export and import of products of animal origin, other than meat, meat preparations, etc.

The Council of the League of Nations approved the recommendation of the Conference, reserving, however, the question of the procedure to be followed, on the advice of the Economic Committee. The Economic Committee considered that for the moment it was advisable to limit the meeting to a restricted number of countries, with a view to framing a text which might later be submitted either to an international conference or to the Monetary and Economic Conference at a new session.

The Economic Committee, in reference to the question of marks or origin, expressed the view that, in present circumstances, it was preferable to adjourn the resumption of the work undertaken in London.

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<sup>1</sup> See above, page 99.

See *League from Year to Year*, 1930-31, page 84.



The Committee, moreover, dealt with various questions relating to Customs technique and, in particular, with a draft international agreement intended to facilitate commercial propaganda (Customs regulations to be applied to samples of no commercial value, printed propaganda, facilities to be accorded to commercial travellers and to their samples) and with a system of international rules to be applied to the notion of weight (gross and nett) and to the system of tares and packing.

The purpose of the first of these drafts was to facilitate commercial propaganda in its various forms by unifying and simplifying, as far as possible, the formalities rendered necessary by existing frontiers. The object of the second draft was to unify and simplify the notion of weight and to establish common rules in regard to tares and packing. The drafts had been prepared by Committees of experts under the auspices of the Economic Committee, and the London Conference had considered that the work was sufficiently advanced to permit of the convocation of a diplomatic conference at an early date. The Economic Committee expressed the view that the drafts might usefully be sent for information to a certain number of States chiefly concerned, and the Bureau of the Conference accordingly forwarded them to the Governments.

The London Conference, as the result of its discussions on the co-ordination of production and marketing, requested the International Institute of Agriculture in Rome to make a preparatory study of the question of milk products, and M. Colijn, Chairman of the Economic Commission, requested Dr. Laur (Switzerland) to undertake a preliminary enquiry. The Economic Committee considered the results of this enquiry and noted the conclusions of Dr. Laur, which were to the effect that a meeting of representatives of a certain number of countries should be convened to consider the desirability of further action and the methods to be adopted. The International Institute of Agriculture agreed to organise this meeting.

The Economic Committee, in reference to the problem of timber, considered that it might be useful to convene experts from some of the countries exporting soft timber before the Sub-Committee appointed by the London Conference resumed its work. A private meeting of the



exporters of soft timber, held in Berlin on December 11th and 12th, 1933, showed that at present a Conference did not offer much prospect of achieving practical results in dealing with this question.

The Committee, with regard to coal and copper, noted that it did not seem possible at the moment to take any steps with a view to negotiations between the producing countries.

The Members of the Committee, before concluding their work, took advantage of their presence in Geneva to exchange views regarding the development of the crisis and the world situation. Two principal and contradictory tendencies were noted in the methods adopted by the various States with a view to ensuring the existence of their populations and their balance of payments. First, there was a tendency for the countries concerned to rely upon themselves and to close their frontiers to imports, even to the detriment of their exports. This autonomous tendency found its extreme expression in certain doctrines of economic nationalism, according to which any purchase made abroad or any tourist journey abroad was regarded as being made to the prejudice of the superior interests of the home country. Secondly, there was a tendency — whatever method of negotiation might be employed — to seek a remedy for the present difficulties in an increase of exports rather than a systematic and definite reduction of imports. The Economic Committee had no hesitation in coming to a decision as to the relative merits of these two tendencies, and it felt bound to emphasise once more the fatal danger to the national and world economies of a generalisation of the efforts made in various quarters to bring about a system of economic autonomy.

It should be mentioned that the Economic Organisation of the League of Nations has placed at the disposal of the Chinese Government experts in agricultural questions and, in particular, an expert in sericulture.

#### IV. — COMMITTEE OF STATISTICAL EXPERTS.

The Committee of Statistical Experts appointed under the Convention on Economic Statistics of 1928 has

examined the results of an experiment applied to foreign trade returns in respect of certain goods. The Committee had under consideration statements from seventeen countries summarising the views expressed in each country as to the desirability of indicating, in respect of imports, the countries of origin or production, the countries of consignment or provenance, and the countries of purchase; in respect of exports, the country of consumption, the country of consignment or destination and the country of sale. The Committee, after considering the matter, was of opinion that it was not possible to obtain any effective concordance between import statistics and the corresponding export statistics. Exporters were not always aware of the final destination of the goods and seldom made enquiries regarding it.

The Committee considered that it should be possible to determine from the import figures the currents of international trade which the statistics had been devised to show.

The Committee recommended that the countries which did not at present record their imports according to the country of origin should be requested to do so in respect of certain selected goods. Further, it drew up a minimum list of commodities which should be mentioned in the statistics of foreign trade.

Finally, the Committee, giving effect to a recommendation of the London Conference, instructed a special Sub-Committee to prepare a rational system of recording statistics of the production of timber and the international trade in that commodity.

#### V. — THE WORK OF THE FINANCIAL COMMITTEE.

The work of the Financial Committee during the year 1933 was extremely heavy. Whereas, during the first ten years of its existence, the Committee had to a large extent devoted its attention each year to some particular country, it found itself in 1933 called upon to deal simultaneously with difficulties which the world crisis had created for the majority of countries to which it had given advice and assistance in the past.

The sessions of the Committee in 1933 covered a total period of fifty days, apart from special meetings and enquiries into the situation of various countries.

The attention of the Committee, as in previous years, was chiefly directed to the problems of certain countries whose Governments had requested its advice : Austria, Bulgaria, Greece, Hungary and Roumania. The Committee noted that the difficulties with which these States were confronted had been, for the most part, created by world causes. It emphasised that, until these causes had been removed, it would be impossible for these States appreciably and permanently to improve their economic and financial situation whatever necessary efforts they might make and whatever concessions they might obtain from their creditors.

#### *Austria.*

The Austrian Protocol of July 15th, 1932, which provided for the issue on behalf of Austria of a loan guaranteed by various Governments, not to exceed 300,000,000 schillings, came into force on December 31st, 1932, following its ratification by Austria, the United Kingdom, France and Italy.<sup>1</sup> In the course of 1933, two other signatory States — Belgium and the Netherlands — deposited their ratifications. Further, the Governments of the Swiss Confederation and Czechoslovakia acceded to the Protocol and accorded their guarantee, Switzerland in respect of 8,000,000 schillings and Czechoslovakia in respect of 4,000,000 schillings.

The loan was issued during the month of August in London, Paris and Rome in blocs guaranteed by the British, French and Italian Governments. The Swiss Government participated by means of a direct advance.

Austria, following the issue of the loan, met all her external short-term obligations and, in particular, an advance of 90,000,000 schillings accorded her by the Bank for International Settlements. Austria also repaid an important part of her internal floating debt.

The Austrian Government in November placed a loan at 4 % on the internal market intended to repay the

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See *League from Year to Year*, 1931-32, page 84.

State debt to the National Bank and to finance the programme of work covered by the budgets for 1933 and 1934.

The Committee noted the serious efforts made by the Austrian Government to balance its budget and the excellent results of these measures. The deficit, which in 1931 had amounted to 349,000,000 schillings, in 1932 amounted to only 32,000,000 schillings. The exchange-rate of the schilling had remained stable until May 1933 at a level 22 per cent below gold parity. The gold and currency reserves of the National Bank increased during 1933 from 189,000,000 to 202,000,000 schillings. Moreover, the present cash in hand of the National Bank was entirely free owing to the consolidation operations effected by the State, whereas in 1932 the short-term debts of the State and the National Bank had exceeded the cash in hand.

The decrease in economic activities which continued without pause during the year 1932 and the first months of 1933 appeared, moreover, to have been arrested. In particular, the number of unemployed at the end of the year was lower than the number of unemployed during the same period in 1932.

The Council, on examining the report of the Financial Committee, expressed its satisfaction at the improvement of the financial situation in Austria, and the representative of the Austrian Government declared that, encouraged by the sympathy extended to it, his Government would not fail to continue its patient and persevering efforts.

### *Bulgaria.*

The Financial Committee, in 1933, endeavoured to give more effective assistance to the Bulgarian Government. A delegation of the Financial Committee, at the request of the Bulgarian Government, visited Sofia in the spring. It found that the budgetary deficit, which had amounted in the previous year to 930,000,000 leva, amounted in the present year to 1,300,000,000 leva. The Treasury, moreover, whose resources were completely exhausted, had contracted debts of one and a half milliard leva towards the officials and State contractors. The payment of officials and their pensions were three months in arrears.

The Financial Committee, to meet this situation, recommended a series of strong measures. The Bulgarian Government subscribed to certain undertakings : a vote of 560,000,000 leva of new revenue and economies to the amount of 300,000,000 leva; a strict adherence during the financial period, in respect of revenue and expenditure, to the limits laid down in monthly budgets; the punctual payment of salaries and pensions and the gradual liquidation of arrears; and, finally, the immediate establishment of a Supervisory Body to control the assessment and collection of taxes.

The Financial Committee proposed that the Council should approve an increase from 600,000,000 to 1,100,000,000 leva of the normal limit laid down in the Protocol of 1928 for the issue of Treasury Bonds, and it also proposed that the limit of rediscounting fixed for the National Bank should be raised from 200,000,000 to 500,000,000 leva. The Financial Committee expressed the view that it was for the Government to settle with its creditors the question of the service of the external debt. The percentage of the interest transferred had decreased during the first half of the budgetary year of 1932-33 from 50 to 40 per cent and subsequently to 25 per cent.

At the end of the year, the budgetary measures adopted by the Government had considerably improved the situation. The deficit at the end of November was 430,000,000 leva or 100,000,000 leva less than in the corresponding period of the previous year. The balance of trade had improved. For the first eleven months of 1933, the surplus of exports over imports stood at 581,000,000 leva, as compared with a deficit of 220,000,000 leva in the corresponding period of 1932, and this improvement was reflected in the position of the reserves of the National Bank. The salaries of the officials were, on an average, only one month in arrear.

#### *Greece.*

The Greek Government, in April, asked the Financial Committee to make an enquiry on the spot into the financial situation of Greece, and a delegation of the Financial Committee visited Greece, on the instructions of the Council, in May 1933. The representatives of Greece, as a

result of the enquiry undertaken and a consideration of the report submitted by the delegation of the Financial Committee, presented to the Committee in June a programme of reform which covered the following points :

A. (1) Economic development works to be financed rather by domestic savings than by foreign loans;

(2) In principle, public expenditure to be kept to a level at which it can be covered by current revenue, without recourse to credit operations;

(3) Capital expenditure out of public funds to be reduced during the next three years and confined to such sums as can be covered by current taxation revenue.

B. (1) The Government to restore equilibrium between revenue and expenditure, including arrears and special funds, after providing for the service of the public debt in agreement with the creditors;

(2) The financial situation of the railways to be made clear in such a way as to show the charge it involves for the State budget, and steps to be taken to reduce that charge;

(3) Measures to be taken, as from September 1st, 1933, so as to secure an additional budgetary revenue of 465,000,000 drachmæ;

(4) Methods of tax-collecting and public accountancy to be improved.

C. A sound monetary policy to be maintained, and the organisation of the Central Bank, as established under the Protocol of 1928, not to be modified.

The Financial Committee, in October, noted that a certain number of the measures contemplated by the Greek Government had been effectively applied. It nevertheless observed that no agreement had yet been reached concerning the external debt of Greece, which included two loans issued under the auspices of the League.

The representative of Greece stated before the Council that, though the deficit in the trade balance of Greece had decreased, this was due to the devalorisation of the drachma and restrictions on imports. He added that the total floating debt in 1933 amounted to 765,000,000 drachmæ. The Greek Government regretted that no agreement had been reached with the bearers of Greek Bonds, who had not felt it possible to accept the method of settlement

which the Greek Government had offered. The Greek Government, however, was still prepared to accept any procedure of conciliation which might be regarded as likely to settle the question.

### *Hungary.*

The Financial Committee noted an improvement in the financial and economic situation of Hungary during recent months as the result of serious legislative and administrative measures. Expenditure had been kept within the limits of the estimates and during the second half of the year had amounted to only 387,000,000 pengö, as compared with 408,000,000 pengö in 1932. Effective revenue amounted to 384,000,000 pengö, as compared with 364,000,000 pengö in the previous year. The Financial Committee, while expressing satisfaction at this result, expressed the hope that the process of recovery would be energetically continued in all branches of public administration. Hungary had not yet made any transfer for account of its external debts, except for the Reconstruction Loan of 1924, and had not made any deposit of pengö for account of its foreign creditors. A slight improvement in the general economic situation and in foreign trade was noted as the result of a good harvest and of the efforts which had been made to facilitate exports.

### *Roumania.*

The agreement for an advisory and technical consultation established by the Financial Committee at the end of 1932 was approved by the Council in January 1933.<sup>1</sup> This agreement, which was intended to restore equilibrium as between expenditure and current revenue and the progressive application of reforms in the financial administration of the country, provided for the appointment by the Roumanian Government — on the recommendation of the Council — of an expert in fiscal matters, an expert in treasury and budgetary questions and an expert accountant. It was further provided that the Council, in agreement with the Roumanian Government, should appoint, a financial adviser, who would co-ordinate the work of these

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<sup>1</sup> See *League from Year to Year*, 1931-32, page 91.

various experts and keep the Council informed of the execution of the programme of reform. The agreement was established, in principle, for a period of four budgetary years, concluding on March 31st, 1937. It was stipulated, however, that, if the plan were fully carried into effect before the conclusion of this period, the parties might advance the date on which their co-operation would come to an end.

The Financial Committee, in submitting the agreement to the Council, drew attention to its novel character. The Roumanian Government had asked, not for financial assistance, but for a technical co-operation in financial matters between the League of Nations and the Roumanian authorities.

The agreement was ratified by the Parliament and Government of Roumania in May, but has not yet been carried into effect.

## VI. — THE FISCAL COMMITTEE.

The results of the enquiry undertaken by the Fiscal Committee into the fiscal system applied to foreign nationals and firms and the methods of allocating profits of concerns operating in several countries,<sup>1</sup> was first examined by a Sub-Committee of the Fiscal Committee, which sat in New York and Washington in March 1933 and subsequently by the Fiscal Committee itself which met at Geneva in June. The Committee, on the basis of the studies which had been made, framed a draft Convention relating to the double taxation of international concerns. The essential principle underlying the draft was the assimilation for purposes of taxation of the permanent establishments of foreign enterprises to autonomous and independent concerns working under identical or similar conditions with, as a corollary, the determination of their taxable income on the basis of their own accounts.

The Council decided to forward the draft to the Governments for their observations, emphasising the importance of the adoption of a convention on the subject with

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<sup>1</sup> See *League from Year to Year*, 1930-31, page 92.



a view to the improvement of international economic relations.

The Fiscal Committee, moreover, instructed a Sub-Committee to prepare a report on the evolution of fiscal systems. These are at present undergoing changes due, not only to difficulties created by the crisis, but also to modifications of structure and, to a certain extent, to a development in the direction of greater simplicity. The Fiscal Committee was of opinion that, in practice, the obscurity of fiscal systems contributed to a large extent to the uncertainty from which international concerns are at present suffering.

The Rockefeller Foundation placed at the disposal of the Council a further gift of 50,000 dollars to assist the work of the Fiscal Committee. This offer was accepted by the Council.

#### VII. — THE RE-ORGANISATION OF THE FISCAL SYSTEM OF GUATEMALA.

The Government of Guatemala asked the Council to send an expert to Guatemala to re-organise the fiscal system of that country. The Council authorised the Secretary-General to take the necessary steps to give effect to this proposal as soon as definite arrangements had been made with the Government of Guatemala.

#### VIII. — ECONOMIC INTELLIGENCE SERVICE.

The Economic Intelligence Service of the League of Nations has, as in previous years, continued to collect and publish information on world economic and financial developments. *The World Economic Survey*, published in September, gave a precise account of the events which occurred in 1932 and during the first half of 1933. Further editions have also been published of *The Statistical Year-Book*, of *The Review of World Trade*, of *International Trade Statistics*, of *The Balance of Payments* and of *The Review of World Production*. The Intelligence Service has also continued its publication of the *Monthly Bulletin of*

*Statistics*, in the preparation of which the Governments have co-operated by regularly forwarding the necessary data.

*The Review of World Production*, published at the beginning of September under the new title of *World Production and Prices*, contained an international index number of industrial production and a special study of price movements.

Finally, the Economic Intelligence Service, thanks to the support of the trustees of the Rockefeller Foundation, which arranged, for a period of five years, beginning on September 1st, to grant a subsidy of 25,000 dollars a year, has undertaken the preparation of an enquiry into the causes of the recurrences of periods of economic crisis.

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## CHAPTER V

### COMMUNICATIONS AND TRANSIT

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- I. Communications of Importance to the Working of the League of Nations. —
- II. Measures taken as a Result of the Work of the Press Conference of 1927 and the European Conference on the Transport of Newspapers and Periodicals, 1929. —
- III. Unification of Buoyage. —
- IV. Settlement of the Question of the Jurisdiction of the European Danube Commission. —
- V. Inland Navigation. —
- VI. Unification of Transport Statistics. —
- VII. Public Works. —
- VIII. Co-operation between the Organisation for Communications and Transit and the Chinese Government. —
- IX. Co-operation between the Organisation for Communications and Transit and the Siamese Government. —
- X. Road Traffic. —
- XI. Smuggling of Alcohol.

The Organisation for Communications and Transit has continued its work during the year, subject to the conditions and methods on many occasions approved by the Assembly. The Transit Organisation, however, in common with all international activities connected with economic problems in 1933, felt the effect of the crisis. It was obliged to confine its efforts to maintaining its machinery in working order, pending a change in the present situation.

#### I. — COMMUNICATIONS OF IMPORTANCE TO THE WORKING OF THE LEAGUE OF NATIONS.

##### *(a) Communications in Time of Crisis.*

The Organisation for Communications and Transit has for several years endeavoured to arrange for the League of Nations a system of communications for use in times of crisis. Thus, the International Telegraphic Conference, held at Madrid in September 1932, decided to incorporate in the International Convention on Tele-Communications

provisions under which telegrams relating to the application of Articles 15 and 16 of the Covenant despatched, in the event of there being a danger of war, by the President of the Council of the League of Nations or the Secretary-General, to a Minister, Member of the Council or to the member of a mission sent by the Council, would enjoy a higher degree of priority than that accorded to State telegrams with priority. In the light of the intention constantly expressed by Members of the League of Nations to facilitate communications with Geneva in times of crisis, it is clear that this new provision is intended to apply generally to any telegraphic communication despatched at a time of crisis, whatever article of the Covenant may be involved. Thus, the desire of the Members of the League to contribute effectively to the good working of communications of importance to the League in times of crisis has again been affirmed.

A general memorandum describing the facilities accorded in this connection by the various Members of the League, both as regards telegraphic communications and transport by automobile and aircraft, will shortly be prepared and communicated to the Members of the League.

(b) *Wireless Station of the League of Nations.*

The Assembly, in order to ensure complete independence for communications of the League of Nations in times of crisis, decided that a wireless station should be established. The station was in working order at the beginning of February 1932, and events which thereafter occurred have enabled an idea to be formed as to the efficiency of the station and the services which it may render. It fulfilled expectations both in regard to the rapid broadcasting of important documents and the facilities which it afforded for direct contact between the delegations of non-European countries and their Governments. Technically, the station has given entire satisfaction and its working was also satisfactory, in existing conditions, from the economic and commercial point of view.

The Committee of Nineteen, appointed by the special session of the Assembly in February 1933, prepared a

report on the Sino-Japanese dispute.<sup>1</sup> The Assembly, called upon to take a decision, was convened to meet on February 20th, in view of the gravity of the question. It was accordingly of the utmost importance that the Governments of the States concerned should immediately have at their disposal the full text of the report. The Committee of Nineteen decided to use the League wireless station for this purpose, and the report was broadcast after the various Governments had been notified.

Some few hours after transmission, not only were the Governments of the principal overseas countries able to read the full text of the document, but newspapers like the *New York Times*, the *Central Daily*, of Nanking, and the *Egyptian Gazette*, of Cairo, were able to publish the report *in extenso*.

Moreover, important parts of the report adopted by the Council on the occasion of the dispute between Colombia and Peru were broadcast in March and June, and the report of the International Labour Office on the forty-hour week was broadcast in the month of May. Finally, broadcasts were organised with North and South America and with Japan and China.

The Information Section, since September 1932, has regularly broadcast a weekly bulletin dealing with the activities of the League. These bulletins have been received with interest.

## II. — MEASURES TAKEN AS A RESULT OF THE WORK OF THE PRESS CONFERENCE OF 1927 AND THE EUROPEAN CONFERENCE ON THE TRANSPORT OF NEWSPAPERS AND PERIODICALS OF 1929.

### *Urgent and Defered Press Telegrams.*

The Conference of Press Experts, convened at Geneva in 1927, adopted a certain number of resolutions upon telegraphic, telephonic and wireless questions.

The Council asked the Advisory Committee for Communications and Transit to examine these resolutions with

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<sup>1</sup> See elsewhere the chapter devoted to this question.

a view to deciding upon the measures to be taken to give effect to them. The work of the Commission resulted in the establishment of a category of "urgent" telegrams and wireless telegrams by the Conference on Tele-Communications held at Madrid in 1932.

The Conference, in reference to "deferred" telegrams considered that, having regard to the present circumstances of the telegraphic companies, it was not desirable to lower the Press tariffs by establishing a new category of telegrams.

### III. — UNIFICATION OF BUOYAGE.

The Committee of Experts of the League of Nations met in London in July 1933 to reconsider the question which had not been settled by the International Conference on the Unification of Rules for the Buoyage and Lighting of Coasts, held at Lisbon in 1930.

The problem was to determine the signals to be universally adopted for maritime buoyage, both as regards lateral buoyage, used more particularly for well-defined channels, and cardinal buoyage, used where the coast is flanked by islands, rocks and shoals, to indicate dangers in the open sea.

Proposals had been submitted by the United Kingdom Government with regard to lateral buoyage and by the French Government with regard to cardinal buoyage. The Committee, on the basis of these proposals, reached an agreement, subject, however, to certain reservations on the part of the Japanese expert.

The draft agreement was submitted to the various Governments invited to the Lisbon Conference.

The Committee considered that, in the event of the replies from Governments showing that a universal unification of buoyage on the lines of the draft was not immediately practicable, certain progress might nevertheless be achieved by partial agreement between certain Governments, and it was of opinion that the necessary steps should be taken for the early conclusion of such agreements, either by summoning a Conference *ad hoc* or by inviting signatures to a Protocol.

#### IV. — SETTLEMENT OF THE QUESTION OF THE JURISDICTION OF THE EUROPEAN COMMISSION OF THE DANUBE.

In 1932, a *modus vivendi* was established between the representatives of France, the United Kingdom, Italy and Roumania on the European Commission of the Danube.<sup>1</sup>

The *modus vivendi* put an end to the dispute relating to the jurisdiction of the European Commission of the Danube with which the Transit Committee had been called upon to deal. The Committee, being officially informed by the Governments concerned of the *modus vivendi*, considered that it was no longer necessary to retain the question on its agenda.

#### V. — INLAND NAVIGATION.

The Transit Committee, being asked to consider a proposal for the establishment of an international agreement relating to navigation on national waterways, asked its Permanent Committee on Inland Navigation to study the problem. The Permanent Committee on Inland Navigation, after obtaining the necessary information from the Governments, came to the conclusion that it was not at present desirable to undertake any action in this sense, since the opinions of the different Governments consulted were appreciably divergent. Some Governments admitted foreign vessels to their national waterways in all circumstances, on the basis of equality of treatment. Others admitted foreign vessels subject to certain conditions or with discrimination in regard to treatment. Others applied special treatment to the navigation of certain States. Finally, there were Governments which reserved their national waterways for national vessels. A large number of States, moreover, declared that they did not contemplate making any modification in existing rules.

The Advisory Committee for Communications and

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<sup>1</sup> See *League from Year to Year*, 1931-32, page 114.

Transit has also studied the possibility of an international unification of regulations applying to navigation on inland waterways. It was understood that such unification would apply to the technical rules relating to navigation and to the practice of navigation — in other words, provisions concerning right of way, lights, signals, etc.

#### VI. — UNIFICATION OF TRANSPORT STATISTICS.

The Advisory Committee for Communications and Transit decided, at its seventeenth session, to address to the Governments concerned a report prepared by the Committee on the Unification of Transport Statistics. The report contained a draft international Convention relating to transport statistics, with rules applying to statistics of maritime navigation and to railways and inland navigation, and with recommendations concerning the departmental statistics covering these three classes of transport.

The Governments, on receipt of this report, communicated their observations. It appeared that the majority of them did not find it possible, particularly for financial reasons, to give effect, for the moment, to the proposals submitted to them.

The Committee, in these circumstances, decided to postpone to a more opportune moment its consideration of the measures to be taken as a result of the studies which had been made on the unification of transport statistics.

#### VII. — PUBLIC WORKS. <sup>1</sup>

For several years past experts of the Communications and Transit Organisation have, at the request of certain Governments, been asked to give technical advice on certain problems relating to public works.

The Committee of Enquiry into Questions relating to Public Works and National Technical Equipment has dealt more especially with definite schemes of national

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<sup>1</sup> See *The League from Year to Year, 1931-32*, page 111.



public works for the financing of which foreign capital is necessary. It examined such schemes forwarded to it by the Governments, both from the technical point of view and from the point of view of their economic value. It retained such schemes whose execution seemed likely favourably to effect the general economy or to contribute to economic recovery and the decrease of unemployment.

Apart from the campaign against unemployment, which from the beginning was taken as a basis of action, the Committee laid down as an essential condition that the schemes submitted should, in present economic circumstances, be of a productive nature.

The Committee of Enquiry this year examined in detail schemes communicated by the Bulgarian, Estonian, Hungarian, Latvian, Polish and Roumanian Governments. The Committee asked for further information in regard to some of these schemes. Other schemes were eliminated. Others were retained and added to the list of schemes previously approved.<sup>1</sup> The schemes approved by the Committee included, in particular :

A programme of road and bridge construction, from the Bulgarian Government (trunk road connecting Sofia with the Yugoslav and Turkish frontiers);

A programme of road and bridge construction, from the Estonian Government;

A general programme for the reconstruction of roads, from the Hungarian Government;

A scheme for the construction of railway lines from Riga to Karsawa and Riga to Rujiena, from the Latvian Government;

A programme of electrification works for Poland and a programme for the extension of the communal power station of Stanisławów, from the Polish Government;

A programme of railway construction, from the Roumanian Government.

The Monetary and Economic Conference, which was required to consider general economic and financial questions connected with public works, was unable to complete its discussion. It provided, however, for the

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<sup>1</sup> See *The League from Year to Year, 1931-32*, page 112.

appointment of a special Sub-Committee which has not yet come together.

The Committee of Enquiry of the Communications and Transit Organisation, moreover, which prepared a report on its activities for the Monetary and Economic Conference, was unable to consider the questions connected with the possibility and method of financing the proposed public works.

Whatever opinion may be held as to the importance of a simultaneous execution in a large number of countries of public works during the present crisis, and whatever may be the result of the discussions to which the question of the financing of public works requiring for their execution the assistance of foreign capital may give rise, there can be no doubt that an impartial technical appreciation of the respective merits of the schemes, submitted from the point of view of their international importance, is calculated, when the time comes, to facilitate the financing of these schemes and to direct capital towards investments of the maximum utility in the general interest.

Independently of the question of the works requiring financing by foreign capital, the Council and Assembly considered it of importance that there should be a continuous examination of questions relating to public works financed by the States themselves. It was held that such an examination would afford an opportunity of collecting information at the disposal of the Governments regarding their experience of the effect of undertaking public works of a particular kind on the resumption of economic activity and unemployment.

It was thought that this information would be particularly useful as enabling Governments to judge of the possibility and the desirability of following, in present circumstances, a parallel policy in the execution of their programmes of public works.

#### VIII. — CO-OPERATION BETWEEN THE ORGANISATION FOR COMMUNICATIONS AND TRANSIT AND THE CHINESE GOVERNMENT.

The technical co-operation established in 1931 between the Organisation for Communications and Transit and the

National Chinese Government continued throughout the year 1932 on the lines laid down.

Six principal roads, in the three provinces of Anhwei, Kiangsu and Chekiang, were constructed or improved. The authorities of these provinces decided to adopt a uniform system of road signals based on the Convention for the Unification of Road Signals concluded under the auspices of the League of Nations in 1931.

In November 1932, a Conference was held at Hankow, attended by representatives of the National Economic Council of the Communications and Transit Organisation and of the seven following provinces : Honan, Hupeh, Anhwei, Kiangsi, Chekiang, Kiangsu and Hunan.

The Conference adopted a general programme of road construction intended to connect the principal road systems of the seven provinces. The programme involved work on the main roads for a distance of 11,940 kilometres, and a list of important connecting roads was drawn up for each of these provinces, representing a total length of 10,360 kilometres. The execution of the programme was divided into five periods.

The Conference also laid down uniform technical rules for the construction of roads and bridges and the materials to be used.

The work on the roads of the seven provinces contemplated for the first period of execution of the programme was undertaken at the beginning of 1933. A few months afterwards, work was begun on the roads contemplated for the second period. The programme for these two periods covered a total road length of 8,644 kilometres. A length of 3,147 kilometres had been constructed at the beginning of the autumn and 2,427 kilometres were under construction.

Further, steps were taken to hasten the execution of the part of the road programme planned for the province of Kiangsi. One of the engineers representing the Transit Organisation was instructed to assist in this work.

The National Economic Council, in connection with this work, has on several occasions engaged a number of young engineers, holding diplomas recently conferred by the universities of the country, with a view to their

training and active participation in the work of construction.

The programme of construction also includes hydraulic works. The National Committee established for the relief of the victims of the floods was still at work when the representatives of the Communications and Transit Organisation reached China, some months after the floods of 1931 in the valley of the Yangtse and the Hwai rivers.

An important part of the work to be done consisted in the repair or reconstruction of the dykes and other works for protection against floods. This task was considerably extended and absorbed all the energy which the Government was able to devote to hydraulic works. In August 1932, the technical work of the National Relief Committee was handed over to the National Economic Council.

The Hydraulic Works Committee of the National Economic Council was finally appointed to direct and control the carrying-out of the necessary works and to consider their results. The necessity was soon realised of a general study covering the whole of the hydraulic system of the Yangtse and the drainage of its waters and the waters of its tributaries. This study was accordingly undertaken.

A Committee of three experts of the League of Nations, at the beginning of 1932, prepared a report on hydraulic questions and, more especially, on a scheme for improving the River Hwai. The Government, on the basis of this report, decided to undertake the improvement of the river by adopting an alternative proposed by the experts, which consisted in the evacuation of the waters of the Hwai into the Yangtse. It subsequently undertook, in 1933, to carry into effect the first portion of the programme, on the lower reaches of the Hwai and on the Grand Canal.

The river system of Northern China was also studied by the three experts. The National Economic Council subsequently instructed one of the engineers representing the Transit Organisation to consider the situation created by certain works undertaken in the neighbourhood of Tien-Tsin for the evacuation of the waters of the Yun Ting Ho towards the sea.

The Government has also provided for the construction of a hydraulic and hydro-technical laboratory, whose establishment seemed necessary for the purpose of future undertakings. The Transit Section of the League Secretariat furnished ample information on this subject to the representatives of the Transit Organisation by the despatch of publications, plans and descriptions relating to existing modern laboratories.

#### IX. — CO-OPERATION BETWEEN THE ORGANISATION FOR COMMUNICATIONS AND TRANSIT AND THE SIAMESE GOVERNMENT.

The Siamese Government, in a letter dated February 23rd, 1933, asked the Communications and Transit Organisation for technical advice on the improvement of its access to the sea and of its equipment of the harbour of Bangkok. As a result of this request, the Chairman of the Transit Committee asked a Committee of Experts to consider the question. The Committee of Experts, after having drawn up a list of the technical and economic information which appeared to be necessary for the ultimate framing of a scheme, appointed one of its members, M. G. P. Nijhoff (Netherlands), a civil engineer, to make a study of the question on the spot. M. Nijhoff visited Siam during the summer of 1933, and the Committee, on the basis of the results of his enquiry, is framing a report for the Siamese Government.

#### X. — ROAD TRAFFIC.

The Permanent Committee on Road Traffic dealt with certain questions submitted to it by the European Conference on Road Traffic — namely, light signals, the codification of the signs to be made by persons controlling traffic and by the drivers of automobiles, and commercial motor transport.

With regard to light signals, the Committee was of opinion that the two systems at present in force for the regulation of traffic at cross roads, the one-colour system and the three-colour system (red, yellow and green) were

the only systems which the Governments should adopt if they desired to avoid undesirable complications. The Committee further considered that the system applied in each country should be uniform. The Committee expressed the view, in reference to signals used for obstacles to be avoided, such as refuges, that neither red nor green should be used, but that orange should be employed for the purpose.

In regard to the signs to be made by persons in control of traffic, the Committee was of opinion that the system which it recommended in 1929 should be maintained. It observed, however, that persons in control of traffic should be equipped and placed so as to be visible to all persons using the road; that the signs made by them should be all easy of interpretation and their number reduced to a minimum; and that each country should have a single system, allowing nevertheless of supplementary signs if local traffic conditions so required.

The Committee, in reference to the signs to be made by drivers of vehicles, recommended for closed cars, and for lorries from which signs given manually by the driver could not be made on both sides so as to be visible from the front and rear, the generalisation of a system of warning by means of mechanical devices protruding from both sides of the vehicle and visible by day and by night. The Committee also recommended a generalisation, for the rear of vehicles, of a special signal indicating that the brake was in use.

The Committee, in reference to the height at which signs should be placed, decided to draw the attention of Governments and tourist associations to the desirability of remedying the drawbacks arising from the fact that the signs might be placed too high to be perceived by the drivers of low vehicles, such as were at present being constructed.

The Committee, in reference to commercial motor transport, decided not to continue the consideration of the question for the moment, but to retain it on its agenda with a view to a thorough study at a time which it might consider to be more opportune. The Committee, in adopting this resolution, had regard to the fact that the

question of commercial motor transport was in process of evolution. It noted that, at present, very different legal conceptions were held in regard to this matter in various countries, and that it was impossible to foresee sufficiently clearly the economic developments of motor transport, or their effects on transport in general and on the general economy of the countries concerned. The Committee considered, in view of these facts, that it would be unwise to frame international rules which might impede rather than facilitate a rational evolution of motor transport according to existing legal, technical and economic possibilities.

The Committee noted a resolution adopted by the International Association of the Railways Congress at its twelfth session, held at Cairo in January 1933. The International Association recommended for certain categories of level-crossings the use of automatic signals. The Committee considered that the use of such signals should be subject to uniform principles internationally adopted, both as regarded the types of signals to be used and the legislation and regulations relating to them. The Committee, nevertheless, as the question was not within its exclusive competence, authorised its Chairman to propose to the Chairman of the Advisory and Technical Committee for Communications and Transit the names of three experts who would form part of a special committee, it being understood that an equal number of experts might be proposed by the Permanent Committee on Railway Transport.

The Committee was also asked to deal with a certain number of claims made by the drivers of automobiles forwarded by the International Federation of Transport Workers. These schemes related more particularly to the physical fitness of drivers and the age at which driving licences should be granted, the delivery of driving licences and the equipment with brakes of trailers drawn by automobiles.

The Committee, after examining these claims, expressed the view that some should be left to the national regulations adopted by the various countries and that others required further study which might be undertaken.

## XI. — SMUGGLING OF ALCOHOL.

This question was raised by the Finnish Government, which complained of a certain abuse of national flags within its waters and desired facilities for the pursuit of vessels suspected of smuggling alcohol. The Communications and Transit Committee, considering that the laws regulating the grant of a flag were at present too diverse for an international regulation of the problem to be undertaken with any chance of success, noted the Convention concluded between Finland and the United Kingdom in 1933. It expressed the view that the conclusion between the Finnish Government and other Governments concerned of similar bilateral treaties would contribute to a practical solution of the difficulties to which the Finnish Government had drawn attention. It added that, in its opinion, the carrying into effect of similar agreements, by which States would consent not to make use of certain prerogatives recognised in international law, could not be regarded in such cases as constituting an obstacle to the freedom of maritime communications.

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The Organisation for Communications and Transit dealt during the year with various other questions, such as the transport of electrical power and the system of international exchanges of electrical power in Europe; passport formalities and visas for migrants; the illicit traffic in drugs and, in particular, the smuggling of dangerous drugs by aircraft; certain petitions submitted by railway companies under Article 320 of the Treaty of St. Germain and Article 304 of the Treaty of Trianon; the unification of transport statistics; inland navigation questions, maritime tonnage and maritime navigation.

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## CHAPTER VI

### HEALTH ORGANISATION

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- I. The Economic Crisis and Public Health. — II. Medical Education. — III. Malaria. — IV. Rural Hygiene. — V. International Leprosy Study Centre. — VI. Study of Pellagra. — VII. A Study-Tour in Poland. — VIII. Permanent Work. — IX. Technical Co-operation with Certain Governments.

A general review of the work of the Health Organisation during 1933 indicates that special attention has been directed to the health problems raised by the economic crisis in connection with medical education, malaria and rural hygiene.

Among other events of importance was the creation in Brazil of an International Leprosy Study Centre, a proposal to co-operate with Roumania in the study of pellagra, and a study-tour organised in Poland during the month of June for the benefit of high officials of medical health administrations.

The Health Organisation has, moreover, continued to carry out the permanent work entrusted to it and to co-operate with the Governments which have requested its assistance.

#### I. — THE ECONOMIC CRISIS AND PUBLIC HEALTH.

The economic depression from which the world is suffering has not only shaken the social foundations on which the life of nations rests, but has also entailed serious dangers for the life, and even the existence, of millions of persons. The progress achieved in the field of medicine and public health is endangered. The number of persons directly or indirectly affected by unemployment probably

exceeds fifty millions, and, at a time when it is necessary to make further efforts in order to perfect the work of protection and material and moral assistance in the field of public health, restrictions, decreases and economies are imposed on existing institutions and services.

This situation has engaged the attention of the Health Organisation. The Health Section, at the end of August 1933, published a study<sup>1</sup> dealing with the possible effects of the crisis on mortality and morbidity statistics, food conditions and psychology of the unemployed. The Health Committee, on the basis of this report, in October 1932, laid down the general lines on which action might be taken by the Health Organisation in dealing with the situation and secured the co-operation of the International Labour Office in the studies proposed.

Attention in 1933 was chiefly directed to food conditions among the mass of the population and to the safeguarding of public health.

#### A. *Food Conditions among the Unemployed.*

The difficulty of exactly appreciating the position in regard to the nutrition of individuals suspected of not receiving sufficient food for subsistence will easily be realised. The problem, however, is serious, as defective nutrition, by considerably decreasing the resistance of the individual, opens the way to disease. For this reason, the Health Organisation first directed its efforts to considering methods of appraising the state of nutrition of the individual as affected by the crisis. After certain preliminary work, a conference of experts,<sup>2</sup> towards the end of 1932, established a standard scheme of social enquiry and clinical examination to be applied to the unemployed in a certain number of countries. The Health Committee was unanimously of opinion that these researches would enable an opinion to be reached, based on facts, concerning the effects of the crisis on food conditions among the unemployed.

The Health Organisation, moreover, published a

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<sup>1</sup> *Quarterly Bulletin of the Health Organisation*, 1932, Vol. I, No. 3.

<sup>2</sup> See report in *Quarterly Bulletin*, 1933, Vol. II, No. 1.

memorandum explaining how the individual might make the best possible use of reduced resources available for food.<sup>1</sup> This study, which covers the scientific and practical aspects of the problem, is intended in the first place to determine what is a proper regime in respect of foodstuffs, and to estimate the influence which propaganda may have upon the habits of the population in regard to this matter.

Another study was published on the administrative machinery whereby adequate food supplies are assured to necessitous persons in Great Britain.<sup>2</sup>

It should be noted, in conclusion, that the Health Committee, in October 1933, decided to continue its enquiries into food conditions especially affecting public health.

### B. *The Safeguard of Public Health in Times of Crisis.*

The reductions made in various countries in public-health budgets constitutes a serious danger to their health organisations at a time when, as already stated, the economic crisis is giving rise to new and serious problems.

A conference of experts was accordingly instructed to study the question of safeguarding public health during the economic crisis. Its report<sup>3</sup> embodies two fundamental conclusions :

1. It must be remembered that the prevention and treatment of disease are, in the last resort, measures of economy and that to restrict activities of this kind is a procedure contrary to the object which is desired. The prevention of disease reduces the losses which disease inflicts on the national income and the expenditure required for its treatment;

2. Economies are, nevertheless, in the majority of cases possible without prejudicing public health, since the organisation of treatment and prevention is very often irrational, irregularly allocated and subject to useless overlapping.

The report contains a thorough study of methods of rationalising health work — in other words, of intelligently

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<sup>1</sup> "Diet in Relation to Small Incomes", by Dr. W. R. AYKROYD. *Quarterly Bulletin*, 1933, Vol. II, No. 1.

<sup>2</sup> By Dr. M. D. Mackenzie, *Quarterly Bulletin*, 1933, Vol. II, No. 2.

<sup>3</sup> *Quarterly Bulletin*, 1933, Vol. II, No. 2.

organising the protection of public health so as to obtain the best results at the least cost.

The conclusions of the report have due regard to the conditions prevailing in each country.

The Conference, in addition to this report, issued an appeal to public opinion. It considered that reforms were hardly possible if the mass of the population did not appreciate their necessity and demand that they should be undertaken.

## II. — MEDICAL EDUCATION.

When, in 1929, the Government of China asked for the assistance of the Health Organisation in re-organising the public-health services of the country, it submitted a programme which included a study of the reforms to be introduced in medical education.

The studies undertaken in this connection by the Health Committee are the result of this suggestion. It is common knowledge that the question is being actively discussed in the majority of countries where the necessity is realised of modifying the programme, method and spirit of medical education having regard to the progress of science and social developments. The problem is not merely to reform medical education but technically and morally to train the doctors of the future more appropriately, with a view to their undertaking the medical and social duties which they will be called upon to perform.

The Health Committee, appreciating the value of the information collected by the Health Organisation, thought it desirable, in October 1932, to make use of this data and to frame a general report describing present tendencies in medical education.

This report, written by Professor Etienne Burnet, of the Pasteur Institute, was published in 1933.<sup>1</sup> It is a comparative study of the systems in force and of the reforms contemplated in the principal countries. The author shows that from one country to another there are considerable differences in present conditions and in

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<sup>1</sup> *Quarterly Bulletin*, 1933, Vol. II, No. 4.

the developments which are anticipated. There is, nevertheless, a real converging of the efforts which are being made and a tendency to pursue identical aims. An attempt is made to draw attention to these converging efforts and tendencies.

The report, starting from the universal development of organised medicine and the progress of prevention, emphasises that medical studies should be directed to training the student in the promotion of health and preventive medicine. This presupposes a thorough study of physiology and of the normal man. Medical education should aim specially at training a competent practitioner, able as soon as possible to detect the first disorders in the human mechanism, able to think for himself and to take initiative. Non-specialised doctors of this type would constitute, in adequate numbers, the mainstay of the health organisation of the country.

The education should be scientific and practical, but the scientific and practical aspects should be continuously interrelated. Physiology should be regarded more and more as the main element in clinical practice. Clinical instruction should be given at the hospital, and the study of hygiene and preventive medicine should be associated with this instruction.

Questions relating to the general education of the student, the place of the sciences in medical instruction, material and staff, specialisation, professional discipline and education courses were also considered in the report.

### III. — MALARIA.

An enquiry into the geographic distribution of malaria and medical needs in respect of quinine has enabled information collected from ninety-three Governments to be published. The evidence shows that the consumption of quinine remains considerably lower than the minimum necessary for the treatment of known cases of malaria. The Governments which have replied to the enquiry have, on the average, imported annually a total of 156,280 kilogrammes of quinine during the last ten years, and they estimate at 1,172,182 kilogrammes the quantity required

annually for the treatment of all their cases. The price of quinine remains excessively high.

These figures offered a further justification for the study undertaken by the Malaria Commission of drugs which may be used as substitutes : alkaloids of quinine and synthetic preparations. This work is not yet concluded, but its progress has justified a statement of the facts as they stand at present, and the Commission published in 1933 its third general report entitled "Report on the Treatment of Malaria".<sup>1</sup> At a time when, owing to new facilities for experiment, a radical change of opinion is taking place as to the objects and methods of the prevention and cure of malaria, this report is of special interest. For this reason, and owing to its international authority, the report may be regarded as a landmark in the history of malariology.

The Malaria Commission has also published the result of its work on the problem of permanent domicile in relation to the mosquito and malaria. Its report, published by Colonel S. R. Christophers and Professor A. Missiroli, considers domicile as a source of infection and examines the conditions in which an improvement in the construction of houses may affect the incidence of malaria.

The Commission has continued its work on malaria in the deltas of the great rivers, where conditions are specially favourable to the propagation of the disease. As in previous years, international malaria courses have been held in Paris and Rome, followed by practical instruction in Spain, Italy and Yugoslavia.

#### IV. — RURAL HYGIENE.

The work undertaken in various health institutions and schools with a view to studying various questions to which attention was drawn by the European Conference on Rural Hygiene was continued during 1933.

The question of the cost and effectiveness of the various types of rural sanitary services was studied at Budapest, Madrid, Prague and Warsaw.

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<sup>1</sup> *Quarterly Bulletin*, 1933, Vol. II, No. 2.

Methods of treatment of household refuse and manure, with a view to preventing the propagation of flies, are being studied at Copenhagen, Madrid, Nancy and Zagreb.

Health problems connected with the milk supply, regarded as a source of infection, are being studied at Madrid, Prague and Warsaw. In Czechoslovakia, the origin of certain epidemics of typhoid has been attributed to the contamination of milk delivered by a large dairy.

Special attention has been directed to enquiries into the epidemiology of typhoid fever. The Institutes of Budapest, Copenhagen, Jassy, Madrid, Prague, Warsaw and Zagreb have taken part in these studies and achieved important results. The diversity of the cultures used by certain institutes in isolating the typhoid bacillus was particularly striking. The technique used in applying the Widal reaction was also widely different in the various institutes. A Conference of Bacteriologists, which met at Warsaw, has accordingly framed technical recommendations with regard to the identification of the bacillus and the application of the Widal reaction.

The time has now come to draw conclusions from these researches, and a Conference will meet at the beginning of the autumn of 1934 for this purpose.

Owing to the success of the European Conference on Rural Hygiene held in 1931, the representatives of India and China have expressed the hope that the Health Organisation will convene a similar conference for countries of the East. The question is under consideration.

#### V. — INTERNATIONAL LEPROSY STUDY CENTRE.

The Council, on September 1st, 1931, accepted an offer of the Brazilian Government to establish at Rio de Janeiro an international leprosy study centre under the auspices of the League of Nations.

The centre, which owes its existence to the generosity of the Brazilian Government and a Brazilian philanthropist, M. G. Guinle, entered upon its work at the beginning of 1934. The object of the centre is to encourage

international co-operation in research into the prevention and treatment of leprosy. Various foreign experts will be invited each year to work together in the laboratories of the centre.

Professor Carlos Chagas has been appointed Director.

## VI. — STUDY OF PELLAGRA.

The Health Committee, in October 1932, decided, in establishing its programme of work on the subject of malnutrition, to undertake a study of pellagra as an index to the state of nutrition of the population. The observations collected on the subject in Roumania by the Health Section, with the assistance of the Roumanian Health Administration, have made it possible to indicate the bases on which an experimental centre for investigating methods of pellagra prevention may be studied.

Pellagra is dangerously prevalent in regions in which maize is the principal foodstuff of the population. Very little is known on the subject, and there is reason to hope that the study centre will enable light to be thrown on certain problems regarding the origin of the disease and methods devised of combating its dissemination.

## VII. — STUDY-TOUR IN POLAND.

A collective study-tour was organised in Poland from May 28th to June 29th, 1933, under the auspices of the Health Organisation. Poland was chosen owing to the interest, in present economic circumstances, afforded by an organisation of health and social medicine which, although very complete, works at a small cost owing to a judicious co-ordination of services. Moreover, the recommendations of the Conference on Rural Hygiene of 1931 have found in Poland their most systematic application.

Of the fifteen persons participating, appointed by their respective administrations, twelve made the tour at the cost of the Health Organisation and three at the cost of the Spanish Government. The following subjects were



studied : the influence of sickness insurance on the working of the sanitary and medical services; the organisation and working of health centres; the duties of health visitors; the results of the studies undertaken as a result of the European Conference on Rural Hygiene.

## VIII. — PERMANENT WORK.

### A. *Permanent Commissions.*

#### 1. *Biological Standards.*

The Commission is continuing its work with a view to determining whether it is possible to standardise certain new substances and to revising, by the light of experience acquired, the standards already in force. A Conference will meet in 1934 to consider results and frame conclusions.

#### 2. *Opium.*

The Advisory Committee on the Traffic in Opium requested the Health Committee to determine whether pills sold in the East as anti-opium pills had narcotic properties. The Health Committee informed the Advisory Committee on the Traffic in Opium that the pills contained heroin. A series of preparations has been brought under the Geneva Opium Convention of 1925 in application of Article 10 of that Convention.

The Health Committee, at the request of the Advisory Committee on the Traffic in Opium, studied a method of titrating morphine contained in the various opiums which eliminates the differences, sometimes considerable, resulting from titration according to the methods hitherto adopted by the various countries.

These studies reached a conclusion in 1933. The method established gives results adequate for the purposes of the system of control imposed on the various States by the Convention of 1931, and it has already been adopted in Switzerland and Denmark.

*B. Other Permanent Work.*

1. It should be remembered that the Health Section is instructed to follow the progress of the principal epidemics throughout the world and immediately to report outbreaks. The Epidemiological Information Service at Geneva and the Bureau established at Singapore are at once informed of the appearance of any infectious disease, and by forwarding this information by wireless enables the health administrations, the port health services and ships at sea to take such precautions as may be necessary. This service, moreover, in its two weekly bulletins, publishes information of a less urgent character, and thus relieves the health administrations of the necessity of obtaining information as to the outbreaks of disease abroad.

Finally, the Service draws up and publishes health statistics covering the great majority of the countries of the world, and thus fulfils a necessary task. Since the establishment of the League of Nations, demographic and health movements throughout the world are recorded in statistics which did not before exist. The importance of this work will be appreciated when it is realised that measures against disease are not possible without a definite knowledge of the movements of epidemics both inside and outside national frontiers.

2. The Health Organisation, during 1933, continued to grant fellowships intended to enable health officials appointed by their respective administrations to study abroad questions connected with the work done by the Health Organisation or of special interest to their respective countries. The total number of missions thus organised during last year was thirty-two.

IX. — TECHNICAL CO-OPERATION WITH CERTAIN GOVERNMENTS.

The Health Organisation continued to assist States Members of the League appealing for its co-operation in the solution of public-health problems.

(a) *Union of South Africa.*

Last year a meeting was announced of a regional Health Conference convened by the Health Organisation<sup>1</sup> at the Cape on November 15th, 1932. The Conference was held too late for an account to be given at that time.

The principal question on the agenda was the practical application of the chapter of the new International Health Convention for Air Navigation relating to yellow fever. The new air services which cross Africa from north to south and from east to west may transport over large distances persons incubating yellow fever or infected mosquitoes.

The Conference considered that it was especially important to determine more precisely the infected regions or regions which had in the past been infected, and it adopted measures with this object in view.

Technically, the Conference reviewed the fundamental principles underlying the campaign against yellow fever. It came to the conclusion that none of these principles was invalidated by recent discoveries. The serious risk for non-infected regions was that of the transport of a person in whom the disease was at the stage of incubation. The measures of protection in force in the infected countries in the west of Africa were in this connection an essential factor for the protection of neighbouring countries. It was therefore important to continue to apply these measures and to increase their effectiveness. The Conference recognised the value of the International Health Convention for Air Navigation, and invited the States of Africa to ratify it.

The Conference considered the unification of measures intended to prevent the introduction of small-pox by vessels coming from British India. It also considered the problem of plague in Africa and the organisation of rural health services.

The delegates of the Conference, appreciating the value of this first exchange of views, considered it desirable that a further conference should be convened and asked the

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See *The League from Year to Year*, 1931-32, page 134.

Health Organisation to submit proposals to the health administrations concerned not later than 1937.

(b) *China.*

The Government of the Republic of China appealed, in 1929, for the assistance of the Health Organisation in the reconstruction of its health services. In spite of existing difficulties, the three-year plan established in 1930 is being energetically carried into effect. The plan provides, in particular, for the establishment of a Central Health Station and a Central Hospital intended to form the nucleus of the National Health Services, together with the creation of a National Quarantine Service and a co-ordination of the various modern public-health departments of the country.

The *Central Health Station*, after working for two years in temporary premises, has been installed in a new building equipped with all modern appliances. It intends to assume an increasingly important place in the life of the nation. Among its practical achievements should be mentioned the opening of courses for the training of health inspectors, the inauguration of health instruction for hospital nurses, the opening of continuation courses for doctors and the creation of centres for the study of malaria in the valley of the Yangtse. The latter action is all the more opportune as the National Economic Council has just started upon an extensive scheme for the construction of roads, including 22,000 kilometres of roads serving a region which is subject to malaria.

The construction of the *Central Hospital* at Nanking has been completed, and the new building already houses numerous patients.

The *National Quarantine Service*, re-organised as the result of an enquiry made in 1929 by experts of the Health Organisation in consultation with the Chinese authorities, now covers all river and sea ports of importance to international traffic, with the exception of Canton, which still possesses an autonomous quarantine administration. The Chinese Republic now has at its disposal a National Quarantine Service, with headquarters centralised at

Shanghai, which has already secured the confidence of vessels plying in the Chinese seas.

The *co-ordination of the modern health departments* of the country has been effectively applied at Shanghai, where three autonomous health administrations have combined their efforts in the campaign against malaria. The annual number of anti-cholera vaccinations, which rose from 530,000 in 1930 to 1,062,000 in 1932, may be taken as a measure of the importance of the work which has been done. It is to be noted that in 1933, in contrast with previous years, there was no outbreak of cholera at Shanghai.

(c) *Greece.*

The Health Centre at Athens, established by the Greek Government under the health re-organisation scheme framed in agreement with the Health Organisation in 1929, has made further progress. The Health School attached to it has prepared for the public-health diploma a new class of candidates, the majority of whom are intended for service in the health administration. The Department of Malariology of the School has been entrusted by the Government with the control of all the anti-malaria work undertaken in the country.

The Health Organisation, with a view to enabling the Health School in Athens to benefit from international experience, has taken steps to secure the assistance of foreign health experts to give a series of lectures or to direct classes.

(d) *Czechoslovakia.*

The Czechoslovak Government has appealed for the assistance of the Health Organisation in improving medical assistance for the country population in accordance with the principles laid down by the Conference on Rural Hygiene of 1931. The principal regions affected are Slovakia and Sub-Carpathian Russia. A health conspectus for these provinces, framed in 1931 with the assistance of experts of the League of Nations, has enabled the Ministry of Health to elaborate a health scheme for the execution of which it has again requested the assistance

of the Health Organisation. The Health Committee, in response to this request, has placed at the disposal of the Czechoslovak Ministry of Health the experience of its technical commissions and of a member of the Health Section. Moreover, a certain number of fellowships have been granted to enable Czechoslovak health officials to study abroad work of the same character as that which they would have to undertake in their own country.

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## CHAPTER VII

### INTELLECTUAL CO-OPERATION <sup>1</sup>

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- I. General Questions. — II. Education. — III. Scientific Questions. — IV. Libraries and Archives. — V. Literature. — VI. International Museums Office. — VII. Popular Arts. — VIII. Intellectual Rights. — IX. Activity of the National Committees. — X. Work of the Educational Cinematographic Institute. — XI. Publications of the Institute of Intellectual Co-operation.

#### I. — GENERAL QUESTIONS.

The work of the Intellectual Co-operation Organisation in 1932-33 was marked by regular progress in every one of the subjects covered.

The decision to consider general problems of importance to the immediate future of international relations and to the organisation of international goodwill has borne practical fruit. The objects of education, the evolution of human civilisation and the preparation of an organised and desired peace are some of the essential points to which attention has been directed as a result of exchanges of views either in conversations or in correspondence. An important effort has been made in the same spirit, but in a different direction, to elicit certain principles which may promote the economic organisation of states. This collective study turned upon the part played by Governments both individually and in their mutual relations, which become every day more numerous and more closely connected as the result of a natural trend which should not proceed more rapidly than the progress of thought permits.

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See *The League from Year to Year*, 1931-32, p. 137 *et seq.*

The work of intellectual co-operation has gone forward in three different directions. First, an attempt has been made to assist States. This work is directed towards rendering intellectual services to the Governments themselves, to their scientific establishments and their educational institutions. Secondly, an endeavour has been made to assist the League of Nations and to make an effective contribution to the work of the League either by importing the spirit of the League into the field of education, by undertaking a scientific study of important international problems submitted to it, or by co-operating in the necessary work of moral disarmament. Thirdly, there is the work which is more especially devoted to intellectual co-operation as such. Here, an attempt has been made in concrete ways to study questions definite and limited. A thorough investigation of specific problems, however, has led to a consideration of the general problems which govern and determine the limited questions under consideration.

### I. *Correspondence and Conversations.*

The International Institute of Intellectual Co-operation, on the initiative of the Permanent Committee on Arts and Letters, has organised conversations and published two volumes of correspondence between qualified representatives of the intellectual life of the various countries.

The first of the volumes was entitled *Why War?*, the authors being Albert Einstein and Sigmund Freud. The second volume was entitled *A League of Minds* and contained correspondence between M. Henri Focillon, M. Salvador de Madariaga, Mr. Gilbert Murray, M. Miguel Ozorio de Almeida, M. Alfonso Reyes, M. Tsai Yuang Pei.

It is the unanimous opinion of the Committee on Intellectual Co-operation that these two publications mark an important stage in popularising the work and ideals of intellectual co-operation.

The first of the conversations was organised in honour of Goethe. It took place at Frankfort in May 1932. The second conversation took place at Madrid in May



1933. The question considered was the future of civilisation, the subject being discussed under the chairmanship of Mme. Curie. Numerous distinguished persons in the intellectual world participated : M. Brondal, M. Augustin Calvet, M. Julio Dantas, M. Estrada, Mr. Edwin M. Gay, M. Manuel García Morente, Mr. J. B. S. Haldane, M. Langevin, M. Lehmann, M. G. Marañon, M. de Madariaga, M. Oprescu, M. Orestano, M. W. Pinder, M. Jules Romains, M. A. R. Severi, M. Strzygowski, M. Szymanowski, M. de Unamuno, M. Paul Valéry and Mlle. Vacaresco.

The discussion turned chiefly upon the following points : individual culture and national culture; the relation between national cultures; the compatibility of a world-wide conception of culture with a strictly national culture; the survival of the educated classes; the education of the masses; the social rôle of culture; culture regarded as a factor in promoting mutual understanding.

The two methods of procedure, by correspondence and conversation, comply with the essential object of intellectual co-operation — namely, an objective study of the relations between peoples.

Next year, it is proposed to organise a conversation at Oxford. The subject will be determined later.

## 2. *The Scientific Study of International Relations.*

From 1928 to 1931, the Institute of Intellectual Co-operation endeavoured to establish co-ordination between the Institutes of Higher International Studies. The object of this co-ordination was to promote exchanges of all kinds and the establishment of a definite political terminology — in other words, an instrument of work.

In 1931, at Copenhagen, the representatives of these institutes decided to go further and to undertake the study of an important subject of a scientific character. The subject chosen was the intervention of the State in economic life, and it was discussed at Milan in 1932. The Institute of Intellectual Co-operation published a report on the discussions at this meeting. The same subject was again discussed in 1933 in London, during May and June of that year.

The Conference held in 1933, in which the Institutes of Higher Studies and the professors of the political sciences of Europe and America participated, was a striking example of an objective study of relations between peoples. Such studies, owing to the method of intellectual co-operation, have achieved remarkable progress and coherence. The meeting was carefully prepared and provided with a considerable body of original material, and, though it lasted for only five days, contributed to the elucidation of important problems. Questions of immediate interest, sometimes of a delicate character, were discussed by persons and schools of varying modes of thought. The discussions were scientific in method and based upon an objective analysis of the facts. There nevertheless emerged on various points a unity of opinion and the affirmation of a common conception as to the need of the community of nations for a restoration of normal economic and financial relations, adapted to the complexity of contemporary conditions.

The next conference will take up a question of immediate concern — namely, collective security and its consequences from the point of view of the sovereignty of States.

### 3. *Moral Disarmament.*

The Committee on Intellectual Co-operation has followed with the greatest interest the work of the Committee on Moral Disarmament of the Conference for the Reduction and Limitation of Armaments. It expressed its satisfaction at the co-operation which the Secretariat of the Intellectual Co-operation Organisation and the Institute in Paris had afforded in the enquiries undertaken by the Committee on Moral Disarmament.

### 4. *The Problem of Documentation.*

The Committee of Expert Librarians, in July 1933, examined a very complete body of information concerning the co-ordination of documentation centres and decided to publish an international guide containing necessary information concerning documentation, its organisation nationally and internationally, the science of documenta-

tion and instruction in the elementary technique of the subject. It was felt that a work of this kind would assist persons engaged in research by directing them towards required sources of information.

#### 5. *Broadcasting and International Relations.*

The Committee on Intellectual Co-operation was of opinion, after reviewing the results of the enquiry undertaken by the Institute in Paris on the educational aspects of broadcasting, that this new and powerful instrument should be enlisted in the service of international understanding. It instructed the Institute of Intellectual Co-operation to continue its studies and in particular to consider the possibility of framing a draft agreement to be submitted in the near future to the Governments and the national broadcasting associations for the purpose of regulating broadcasts from wireless stations and avoiding the dissemination of news likely to disturb the good understanding between nations. In November 1933, a draft international agreement was established and, by a decision of the Council of the League of Nations, taken in January 1934, was forwarded to the States Members and non-members of the League for their information.

#### 6. *Co-operation in the Re-organisation of Public Education in China.*

The relations of the Intellectual Co-operation Organisation with the Government of China have been strengthened and extended. These relations began in 1932 with the despatch, at the request of the Chinese Government, of a mission of European educational experts with a view to preparing for a re-organisation of public education.

Subsequently a mission of Chinese educational experts, whose tour was organised by the Paris Institute, came to Europe in search of information upon Western methods of education, where it remained from the end of August 1932 to February 1933.

The Chinese educational experts were put into touch with the most qualified educational authorities in Poland,

Germany, Denmark, France, the United Kingdom, Italy, Austria and the Union of Soviet Socialist Republics.

The first stage in co-operation with China was thus effected. The Committee on Intellectual Co-operation, when it has received the report of the Chinese educational experts, will have before it a programme of work established by the Chinese Government in the light of the conclusions of the experts of the League of Nations and the experience acquired by the Chinese educationists in Europe.

Meanwhile, the Institute of Intellectual Co-operation is keeping in touch with the competent Chinese authorities. Moreover, valuable help has been given by the three professors sent by the League of Nations to the University of Nanking : M. Edward Paréjas, Professor of Geology at the University of Geneva; M. von Wissmann, Professor of Geography at the University of Vienna; and Mr. H. N. Davy, Professor of English Literature at the University of Nottingham. The services rendered by these professors went considerably beyond their professional obligations.

In this connection, the constitution of a Chinese National Committee on Intellectual Co-operation, as the result of the initiative of M. Li You Ying and M. Hoshien Tchen, should be mentioned. The National Committee has a permanent secretariat at Shanghai.

#### *7. Influence of the Press on the Education of the Masses.*

The Intellectual Co-operation Organisation was instructed, in 1932, by the Assembly to study the question of the intellectual rôle of the Press. It emphasised the influence of the Press on the education of the masses and the considerable assistance which it might render in raising the general intellectual level. It also recognised the need for examining methods whereby the Press might develop, as between the nations, a better mutual understanding by distributing more complete information regarding the various nations, their culture and the part which each of them has played in the general progress of mankind.

The International Institute of Intellectual Co-operation, in response to this initiative, has consulted qualified journalists and published their suggestions. It appealed,

in particular, to M. B. Sanin Cano, of the *Nacion*, of Buenos Aires, M. Henri de Jouvenel, former editor of the *Matin*; Mr. Kingsley Martin, of the *New Statesman and Nation*; Mr. Paul Scott Mowrer, of the *Chicago Daily News*; and M. F. Sieburg, of the *Frankfurter Zeitung*. The Institute has published the opinion of these journalists in a volume which has just been issued.

8. *Social and Political Sciences* :  
*Proposal of Professor Shotwell.*

The Committee on Intellectual Co-operation was asked by one of its members, Professor Shotwell, to consider a proposal that the work of the Intellectual Co-operation Organisation should be extended to the social and political sciences.

Professor Shotwell had, in 1932, urged before the Committee that it was desirable for the Intellectual Co-operation Organisation to give more attention to the sciences connected with human effort : history, political economy, public law, sociology, political sciences, etc. On that occasion, he made the following statement :

These sciences were formed for the most part during the nineteenth century, when the national State was the ultimate and supreme creation of politics. They have hitherto presented their problems almost exclusively from the standpoint of national interests and have given theoretic support to those historic forces and movements which have culminated in the national State. The study of international relations from the scientific point of view was only an external and incidental part of their programme. It is generally admitted, however, that the study of those problems which are involved in the creation of a new era of closer international co-operation is the most important phase of their activities at present. The recognition of a community of interest among nations, which is the fundamental principle of the League of Nations, calls for a revaluation of those forces, tendencies and institutions which have hitherto concentrated upon or embodied the result of purely national policies.

In the social and political sciences there is a possibility of something not unlike that new outlook in the arts and letters which found expression in the Renaissance. There is a turning from the narrower conceptions of the past to a worldwide view in which the legitimate interests of each nation shall

find full expression while recognising a similar legitimacy in the point of view and interests of other nations. . .

The political and social sciences should be encouraged to do for the community of nations what they have done for the national State.

The proposal of Professor Shotwell was sympathetically received by the Committee on Intellectual Co-operation, which had already expressed its appreciation of the success achieved by the Conference on Higher International Studies in an effort to co-ordinate internationally the study of problems falling within the province of some definite activity connected with the social and political sciences.

The Committee, however, noting that the social sciences dealt with problems which had not yet been exactly defined, and that there were different views as to their scope and methods, did not think it desirable at once to frame a definite programme of work. Desiring, however, to follow up the suggestions of Professor Shotwell, it decided to recommend the International Institute on Intellectual Co-operation to appeal for assistance to as many experts in these sciences as possible, with a view to determining the most appropriate methods whereby intellectual co-operation might contribute to their progress. It was understood that a small committee would, if necessary, be constituted to study how the question had already been dealt with by the various national institutes interested in the social sciences. It was agreed that this limited committee might establish a programme of work and choose a subject on which a common study might be undertaken.

#### *9. Introduction of Roman Characters.*

In conformity with the resolution adopted in July 1933 by the International Committee on Intellectual Co-operation, the Institute has framed a report on the use of Roman characters. This work, which has been revised and contains a large number of statements prepared by the countries interested in the problem, will shortly be published.

## II. — EDUCATION.

### 1. *Meeting of Directors of Higher Education.*

A second meeting of the directors of higher education was held in the course of the year. The object of these meetings is to assemble in a small committee of enquiry the responsible heads of the higher departments of education of the various countries to consider the numerous problems of university organisation in regard to which progress may be achieved by consultation and common action.

Some twenty reports and studies served as a basis for the discussions this year. The participants endeavoured to comprehend and bring out the spirit underlying the various university systems.

The large amount of work which the Committee decided to undertake justifies the expectation that it will be possible to lay down guiding rules of international policy in regard to higher education and more particularly in regard to scientific research, which will remain an essential item in the programme of intellectual co-operation.

### 2. *Meeting of the Committee of International Students' Associations.*

This Committee, which includes representatives of the seven most important international students' organisations, considered, at its meeting in 1933, apart from common problems of organisation, methods to secure a systematic co-operation in the activities of the student Press, the conditions created in certain universities by the presence of students of different races or persons passing as such, and, finally, the part to be played by international students' organisations on behalf of disarmament.

### 3. *International Office of Institutes of Archæology and the History of Art.*

A meeting of experts, asked to draw up a scheme for a liaison centre between university institutes of archæology and history of art, was held on January 28th and 29th,

1932, at the International Institute of Intellectual Co-operation. Resolutions submitted by the experts were adopted at a plenary meeting in July 1932. The Institute got into touch with the university institutes and secured considerable support from institutes of the first importance.

The first meeting of the Governing Body of the Office, constituted as a result of this initiative, took place under the chairmanship of Professor Focillon (Sorbonne) at Rome on December 1st and 2nd, 1933. The Governing Body adopted a series of resolutions containing a programme of work to be carried into effect during 1934, and, in particular, the publication of a bulletin : *Art and History*.

#### 4. *National Centres of Educational Information.*

The Committee on Intellectual Co-operation, in 1932, recommended that there should be constituted in each country a national centre of educational information. The task of the Paris Institute has, during the past year, consisted in encouraging the establishment of these centres in the different countries. Its activities have resulted in the setting up of national centres in twenty-nine countries : South Africa, Australia, Austria, Belgium, the United Kingdom, Bulgaria, Canada, Chile, Cuba, Czechoslovakia, Danzig, Denmark, Estonia, France, Germany, Greece, Iceland, Ireland, Italy, Japan, Latvia, Luxemburg, the Netherlands, Norway, Poland, Roumania, Spain, Sweden, and the United States of America.

Pending a meeting of the representatives of these various centres, the Institute has constituted an advisory Committee composed of representatives of the principal national centres already in being. This Committee has determined the general lines of a selected bibliography of works and articles published in the various countries and dealing with education. The bibliography will be issued in 1935 and will cover the year 1934.

#### 5. *Revision of Schoolbooks.*

The revision of schoolbooks has for several years been one of the chief international concerns of all those interested



in the education of the younger generation and in the work of bringing the nations more closely together. There has been a renewed activity in this field. The Institute of Intellectual Co-operation has published in English a second edition, revised and enlarged, of *School Text-book Revision and International Understanding*. Moreover, the Conference for the Limitation and Reduction of Armaments has drafted articles relating to moral disarmament dealing with the revision of schoolbooks.

*6. Re-organisation of the Committee of Experts for the Instruction of Youth in the Aims of the League.*

The Committee on Intellectual Co-operation recently proposed that the Sub-Committees of Experts on the Instruction of Youth should be re-organised, and it entrusted this task to certain members of the Executive Committee of the Intellectual Co-operation Organisation. The experts have decided :

1. To reduce the membership of the Committee;
2. To attach the Committee more directly to the Committee on Intellectual Co-operation; and
3. To authorise the Committee to have recourse, when necessary, to special experts in the various branches of educational cinematography and educational broadcasting.

The Committee therefore decided that an advisory body, with members appointed by itself, should be substituted for the Sub-Committee of Experts. The advisory body will be composed, for a period of three years, of three members of the Intellectual Co-operation Committee and two persons at present members of the Sub-Committee. The questions to be dealt with by the advisory body will be chosen by the Executive Committee. The Executive Committee, according to the nature of the questions thus selected, may appoint assessors not exceeding five in number.

*7. Adult Education.*

Adult education, having made considerable progress in the years following the war, has reached a point at which international co-operation appears to be indicated and promises important results.

The first International Congress on Adult Education was convened in Cambridge in 1929. Moreover, an enquiry was started a few years ago by the International Labour Office into professional organisations and the education of workers. Finally, the Institute in Paris, at the request of the International Labour Office, has undertaken researches into the popular libraries and the popular arts in relation to the use made by the workers of their spare time.

The Committee was of opinion that it was desirable to undertake a work of enquiry and comparison in connection with the general problems raised by adult education, and it entrusted this task to the International Institute of Intellectual Co-operation. The Institute will not attempt to produce a complete list or description of existing institutions, but will draw attention to the essential aspects of the various existing methods of adult education.

#### 8. *Educational Films.*

Various proposals have been made during the year to the Secretariat of the League of Nations by certain groups which are prepared to encourage the production of short documentary films on the activities of the League of Nations.

The Sub-Committee of Experts for the Instruction of Youth recommended the Committee on Intellectual Co-operation to lay down as soon as possible the general lines of a comprehensive plan to ensure coherence between the efforts of the Information Section of the Secretariat of the League of Nations, the Intellectual Co-operation Section, the Cinematographic Institute in Rome and the Institute of Intellectual Co-operation in Paris. This programme should have regard to the various aspects of the international problem of the cinema, such as the part to be played by it in education and the promotion of culture.

The Committee on Intellectual Co-operation has therefore taken steps to get into touch with producing organisations. In particular it has recommended the convening of a committee of experts, consisting of representatives of the producing groups, in order to discuss with them questions of interest to the cinema from the point of view of the work of the League.

It has expressed the view that the efforts of the Organisation should for the moment be solely directed to encouraging the production of films of an educational character on the work of the League.

The Committee, in reference to the general plan suggested by the Sub-Committee on the Instruction of Youth, considered that the International Congress on Instruction through the Cinema, to be held in Rome in April 1934 under the auspices of the International Institute of Educational Cinematography, might study these various problems. It further decided to constitute, with a view to preparing for the discussions of the Congress, a committee which would include representatives of the different organisations concerned.

#### *9. Study of International Relations.*

The enquiry decided upon in 1931 with the object of studying the scope and character of the instruction upon international relations given in higher educational establishments has already extended to seventeen countries : South Africa, Australia, the United Kingdom, Bulgaria, Canada, Czechoslovakia, Denmark, Finland, Germany, Hungary, Italy, the Netherlands, Palestine, Poland, Sweden, the United States of America, and Yugoslavia. Other countries, Belgium, France, Norway, Spain and Switzerland, announced that their reports were in course of preparation and would be forwarded later. The Committee decided to continue the enquiry and recommended the competent bodies to make an analytical study of the replies received.

### III. — SCIENTIFIC QUESTIONS.

The Committee on Intellectual Co-operation considered the results of the meeting held at Madrid for the co-ordination of physico-chemical terminologies. It decided to give effect, in agreement with the Unions concerned, to decisions approving a certain number of terms in process of definition.

The Committee also reviewed the steps taken to ensure co-operation between scientific museums and the possibility of preparing a list of research laboratories. The

Committee considered that the list of scientific laboratories should include only research institutes, and that it should give information of interest to research workers and foreign students.

#### IV. — LIBRARIES — ARCHIVES.

##### 1. *Libraries.*

The Institute has published a volume entitled *Popular Libraries and Workers' Leisure*. It embodies the results of an enquiry undertaken by the Institute, at the request of the International Labour Office, on the part to be played by the libraries in connection with the use by workers of their spare time.

This publication has been cordially welcomed by the circles concerned. It emphasised, among other things, the importance of a professional training for the librarian. An enquiry undertaken on this subject, and covering all classes of libraries, is now in progress, and the results will be published later. The Institute has [also undertaken to draw up lists of facsimiles of manuscripts existing in the libraries. Thanks to the guiding principles laid down by M. Colijn, Director of the Royal Library of Sweden, and the examples with which he has illustrated his indications, it is hoped that the task will be carried out by the libraries of all countries with the necessary degree of uniformity.

##### 2. *Archives.*

A limited Committee of Experts in Archives, which met in Paris in July 1933, has examined numerous replies received from the departments of the various countries dealing with archives to a questionnaire sent out by the Institute with a view to the publication of an international guide.

The Committee, recognising the importance of a guide for general scientific purposes and for the departments, has completed a technical scheme. The first volume will cover Europe, and will be published in 1934. It will be accompanied by an historical introduction written by the competent service of the Institute.

The Committee also dealt with the following questions :

- (a) The International Congress of Experts on Archives which is to meet in Rome in 1935 or 1936;
- (b) The liaison to be established with the International Congress of Historians (Warsaw, August 1933);
- (c) The bibliography of manuscripts and the study of autographs.

The question of the relations between private archives and central departments and the question of terminology will be considered at the next meeting of the Committee.

## V. — LITERATURE.

### I. *Index Translationum.*

The International Institute of Intellectual Co-operation has, since 1932, published an *Index Translationum*, being an international list of translations. The list for the first year indicated translations made in the United Kingdom, France, Germany, Italy, Spain, and the United States of America. In July 1933, the list was extended to Czechoslovakia, Denmark, Hungary, Norway, Poland, Sweden, and the Union of Soviet Socialist Republics.

The translations are classified by subjects. Alphabetical indexes of authors, translators, editors and publishers are attached.

### 2. *Ibero-American Collection.*

This collection is intended to supply the French-speaking public with translations of the principal authors of Latin America.

The Publications Committee, under the chairmanship of M. de Reynold, includes the following : Mlle. Gabriela Mistral, M. Belaunde, M. Mariano Brull, M. Enrique Diez-Canedo, M. Francisco García Calderón, M. Le Gentil, M. Alfonso Reyes, M. Raymond Ronze, M. Gonzalo Zaldumbide.

The following works have already been published :

*Historiens Chiliens* (selected pages); *Le Diamant au Brésil*, by Joaquim Felicio dos Santos.

The following will be published in 1934 and 1935 : *Lettres et Discours*, by the champion of South-American independence, Simon Bolivar; *Facundo*, by the Argentine writer, Sarmiento; *Don Casmurro*, by Machado de Assis, a Brazilian story; *Les Essais*, by José Marti (Cuba); *O Mulato*, a novel by Aluizio Azevedo (Brazil); *Les Essais de Hostos* (Porto Rico); a collection of *Chilian Folklore*. It is also proposed to publish a translation of selected plays by Florencio Sanchez (Uruguay).

## VI. — INTERNATIONAL MUSEUMS OFFICE.

Special attention is directed to the draft international Convention framed by the International Museums Office on the repatriation of artistic, historic and scientific works, lost, stolen or removed or illicitly exported. The Assembly of the League of Nations approved the Convention, in principle, during its fourteenth session, and asked the Secretary-General to forward the text to the Governments for their observations. The final text will be submitted to the Assembly of the League at its fifteenth session.

Other activities of the International Museums Office include the publication of a treatise on the preservation of artistic and historical monuments for the use of departments of antiquities and fine arts; the conclusion of an international agreement authorising casting, subject to certain conditions; and the constitution, as the result of a decision of the Assembly, of an international commission on historical monuments, composed of Government delegates accredited to the Office. In the series entitled *International List of Museums*, two volumes, relating respectively to France and to the Netherlands, have been published, and in the series entitled *Files of the International Museums Office*, two pamphlets, one devoted to a collection of documents on the preservation of paintings in museums and the second to general rules for the restoration of historical monuments, have been issued.

A Museographical Conference has been organised to meet at Madrid on October 14th, 1934.

VII. — POPULAR ARTS. — ESTABLISHMENT OF AN INTERNATIONAL INSTRUCTION CENTRE ON MUSIC AND FOLK SONG.

The Institute, continuing its co-operation with the International Committee on Arts and Letters, recently undertook, in accordance with a resolution adopted by its Bureau in April 1932, an enquiry into the establishment of an international instruction centre on music and folk song. A detailed questionnaire, covering all questions relating to this field of popular art, was addressed to the national committees on intellectual co-operation, to the national committees on popular art and to a certain number of experts on popular music.

The International Institute on Intellectual Co-operation, having received a large number of replies containing abundant information and documentary data, accompanied with maps and numerous publications, proposes shortly to publish this material.

VIII. — INTELLECTUAL RIGHTS.

The Committee of Representatives of Institutions dealing with Intellectual Rights has, during the year, considered problems connected with the Conference which will be held at Brussels in 1935 for the revision of the Berne Convention, especially in respect of authors' cinema rights, authors' rights of journalists, authors' rights in respect of mechanical auditions and the international penalties to be attached to the enforcement of regulations covering authors' rights under existing Conventions. It examined, at the request of the International Documentation Institute, the legal regime applying to photographic copies, and discussed ways and means of reconciling the interests of scientific research in this matter with the rights of authors and publishers. Attention was also directed to the rights of artists and inventors.

Finally, the Committee was asked by the International Museums Office to participate in the study of international measures intended to ensure protection for national artistic heritages.

### IX. — ACTIVITIES OF THE NATIONAL COMMITTEES.

The National Committees of Intellectual Co-operation appointed in each country to deal from the national point of view, but in regular collaboration with the International Committee of Intellectual Co-operation, with intellectual questions have, during the last ten years, developed in the most satisfactory manner. These Committees have given valuable help to the Institute in Paris and the Secretariat of the League, and the Institute in Paris has, with their assistance, succeeded in carrying out certain tasks entrusted to it.

The Intellectual Co-operation Organisation, with a view to strengthening its connections with the National Committees, decided to invite to its meetings certain of their representatives. Five of the National Committees — namely, those of Denmark, Greece, Hungary, Poland and Yugoslavia — participated in the work of the annual session of the Committee on Intellectual Co-operation. The statements made by their representatives on this occasion enabled the Intellectual Co-operation Organisation to appreciate the value of this measure, and the experiment was fully justified.

### X. — WORK OF THE EDUCATIONAL CINEMATOGRAPHIC INSTITUTE.

The Institute has continued its work of documentation and distribution of information in publications such as the *Cinematographic News*, the *International Review of Educational Cinematography*, a bi-monthly *Bulletin of Information*. It is also preparing a cinematographic encyclopædia.

Moreover, the Institute has considered the production of educational films on the League of Nations and has devoted time to the preparation of a first international congress on education by means of the cinema, which will meet in April in Rome.

Numerous international organisations with which the Institute maintains permanent relations will participate



in the work of the congress. The value of the studies made by the Institute on the value of the cinema in the field of education, professional guidance, public health, agriculture and other subjects, will on this occasion be realised. One of the most interesting results of the work of the International Educational Cinematographic Institute was the conclusion, on October 11th, of a Convention to facilitate the international circulation of educational films. This Convention has been signed by thirteen States.

The Council of the League of Nations decided, on the proposal of the Italian Government, to modify the organic statute and the regulations of the Institute, with a view to greater efficiency. One of the changes introduced consisted in the creation of a new body known as the Advisory Technical Committee. This Committee will be composed of representatives of groups of industrialists and technicians whose assistance is essential for the development of the Institute.

#### XI. — PUBLICATIONS OF THE INSTITUTE OF INTELLECTUAL CO-OPERATION.

Publications edited by the Institute place at the disposal of the circles concerned the results of the enquiries, comparative studies and discussions undertaken by the committees and executive bodies depending on the International Committee on Intellectual Co-operation.

The periodical publications include the *Bulletin of Intellectual Co-operation*, *Museion*, the *Monthly Bulletin*, the *Information Bulletin*, *Scientific Museums*, *Index Translationum*, *International School Correspondence*, and *The Student Abroad*.

Apart from these periodical publications, attention is directed to the two volumes entitled *Why War?* and *A League of Minds*, to the record of the conversations devoted to the future of civilisation, the future of the European spirit and to Goethe; to the publications on *The Intellectual Rôle of the Press* and on *The State in Economic Life*, and to a series of technical studies on questions such as *School Textbook Revision*, *Popular*

*Libraries and Workers' Leisure, International Understanding through Youth, The Use of Wireless in Schools and Broadcasting and Peace.*

The last volume was prepared at the request of the twelfth session of the Assembly and was edited after consultation with the directors of the more important wireless enterprises and the International Broadcasting Union. This publication contains drafts of agreements between Governments and wireless companies, approved by the International Committee on Intellectual Co-operation.

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## CHAPTER VIII

### POLITICAL QUESTIONS

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I. Appeal of the Chinese Government. — II. Dispute between Bolivia and Paraguay. — III. Dispute between Colombia and Peru. — IV. Dispute between the United Kingdom and the Persian Government. — V. Request for Assistance by the Government of Liberia. — VI. Commission of Enquiry for European Union.

#### I. — APPEAL OF THE CHINESE GOVERNMENT.

The Assembly of the League of Nations, on February 19th, 1932, at the request of the Chinese Government, submitted under paragraph 9 of Article XV of the Covenant, was called upon to deal with the Sino-Japanese dispute. The Assembly, after having held a first session from March 3rd to April 29th, met again on December 6th, 1932.<sup>1</sup>

Three days later, the Assembly instructed its Special Committee (Committee of Nineteen) to study the report of the Commission of Enquiry, the observations of the parties and the views and proposals expressed in the Assembly, with a view to drafting and submitting proposals as soon as possible for a settlement of the dispute in agreement with the parties.

The Special Committee, in conformity with this decision, framed two draft resolutions and a statement of reasons, indicating generally the basis on which it considered that the work of conciliation between the parties might be continued with a view to a settlement.

The first and more important of the two resolutions recalled that, on March 11th, the Assembly had laid down

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<sup>1</sup> See *The League from Year to Year, 1931-32*, page 163

the principles which determined the attitude of the League of Nations in regard to the settlement of the dispute,<sup>1</sup> which must respect the provisions of the Covenant of the League of Nations, of the Pact of Paris and of the Nine-Power Treaty. The Assembly therefore decided that a Committee should be constituted to undertake negotiations, in co-operation with the parties, with a view to a settlement on the basis of the principles defined in Chapter IX of the report of the Commission of Enquiry and having regard to the suggestions made in Chapter X of that report. The Committee consisted of members of the League represented on the Special Committee of Nineteen and it was authorised to invite the Governments of the United States of America and the Union of Soviet Socialist Republics to take part in the negotiations.<sup>2</sup>

The Committee, in its statement of reasons, expressed the view that, "in the special circumstances which characterised the dispute, a mere return to the conditions previous to September 1931 would not suffice to procure a durable settlement and that the maintenance and recognition of the present regime in Manchuria could not be regarded as a solution".

On December 15th, the two draft resolutions and the statement of reasons were submitted to the parties, which presented their observations. The Chairman of the Committee, M. Hymans, and the Secretary-General were thereupon authorised to negotiate with the Japanese and Chinese delegations, and the Committee, on December 20th, 1932, adjourned until January 16th, 1933.

Early in January 1933, Japanese troops belonging to the Japanese army of Kwantung crossed the Great Wall and occupied Shanhaikwan.

The Committee of Nineteen, on January 18th and 21st, received a new proposal from the Japanese delegation. The Japanese text, so far as the main resolution was concerned, differed from the original draft in respect of the following points :

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<sup>1</sup> See *The League from Year to Year, 1931-32*, page 164.

<sup>2</sup> The Assembly, in the second draft resolution, thanked the Commission of Enquiry for the valuable assistance which it had given the League of Nations and declared that its report would remain as an example of conscientious and impartial work.

The principles laid down in Chapter IX of the report of the Commission of Enquiry were declared to constitute a "useful basis" for a settlement and no allusion was made to Chapter X of the report. Moreover, the Japanese delegation proposed that the Committee of Nineteen, in view of the fact that it was to the interests of world peace to determine how the principles embodied in Chapter IX of the report of the Commission of Enquiry might be applied to the development of the situation in the Far East, should, for the purposes of this practical work of settlement, appoint a small committee to assist the two parties in reaching a final and substantive settlement of the questions outstanding between them.

The Japanese delegation further proposed that the statement of reasons should be transformed into a declaration made by the Chairman on behalf of the Committee, to which the parties might submit reservations. The Japanese delegation further desired that, apart from this difference of presentation, the declaration, on several important points, should differ from the statement of reasons.

The Committee, after examining these proposals together with the amendments submitted by the Chinese delegation, was driven to the conclusion that it was impossible to frame a draft resolution which the two parties were prepared to accept. The Committee stated that, in these circumstances, it seemed impossible to submit to the Assembly proposals for a substantive settlement of the dispute in agreement with the parties. The Committee, therefore, in execution of the task entrusted to it under Part 9, paragraph 5, of the resolution of March 11th, 1932, entered upon its preparation of the report contemplated in paragraph 4 of Article 15 of the Covenant. Since, however, the Assembly was alone competent to apply the provisions of paragraph 4 of Article 15 following the breakdown of the negotiations, the Committee intimated that it remained at the disposal of the parties in respect of any new proposal which they might desire to submit.

The representative of Japan, on February 8th, presented the Committee with new proposals for amendments to the texts established on December 15th.

The Japanese Government proposed that the Committee

of Nineteen should be instructed to work in co-operation with the parties with a view to a settlement on the basis of the principles and conclusions laid down in Chapter IX of the report of the Commission of Enquiry, having regard to the events which had occurred. The Japanese Government, in this proposal, as in its counter-proposals, submitted in January, was unable to agree that invitations should be addressed to States non-members of the League of Nations to participate in the work of the Committee entrusted with the negotiations.

It proposed, moreover, that the final sentence of the statement of reasons, as converted into a declaration of the Chairman, should read as follows :

It is to be noted that the report of the Commission of Enquiry states in Chapter IX, the principles and conclusions of which the Assembly has adopted in paragraph 4 of the resolution as the basis for the negotiations for a settlement, that a mere return to the conditions previous to September 1931 would not suffice to secure a durable settlement, and that the maintenance and recognition of the present regime in Manchuria could not be regarded as a solution, and also that a satisfactory regime for the future might be evolved out of the present one without any violent change.

The Committee, on February 9th, after having studied these proposals, asked for supplementary information, particularly as to whether the Japanese Government accepted, as one of the bases of the proposed solution, principle 7 of Chapter IX of the report of the Commission of Enquiry relating to the establishment in Manchuria of a large measure of autonomy compatible with the sovereignty and administrative integrity of China.

The Japanese Government, on February 14th, stated in reply that it was convinced that the maintenance and recognition of the independence of "Manchukuo" was the sole guarantee of peace in the Far East, and that the whole question would finally be settled on that basis as between Japan and China. The Committee, in reply to that communication, intimated that the proposals submitted by Japan on February 8th did not provide an acceptable basis of conciliation.

The Committee, on the same day, adopted the draft

report referred to in Article 15, paragraph 4, of the Covenant, and the President of the Assembly, M. Hymans, under the powers conferred upon him by the resolution of March 4th, convened the Assembly to meet on February 21st.

The report submitted by the Special Committee, containing a statement of the facts of the dispute and the recommendations deemed just and proper in regard to it, recalled at the outset that the first eight chapters of the report of the Commission of Enquiry presented a balanced, impartial and detailed statement of the historical background of the dispute and of the main facts so far as they related to Manchuria. The first eight chapters of the report of the Commission of Enquiry were therefore adopted as part of the report of the Special Committee.

The report then gave a brief historical summary of the development of the Sino-Japanese dispute from September 1931 up to February 15th, 1933. It then set forth the principal characteristics of the dispute and the conclusions to be drawn from the essential facts. This part of the report concluded as follows :

Undoubtedly the present case is not that of a country which has declared war on another country without previously exhausting the opportunities for conciliation provided in the Covenant of the League of Nations; neither is it a simple case of the violation of the frontier of one country by the armed forces of a neighbouring country, because in Manchuria, as shown by the circumstances noted above, there are many features without an exact parallel in other parts of the world. It is, however, indisputable that, without any declaration of war, a large part of Chinese territory has been forcibly seized and occupied by Japanese troops and that, in consequence of this operation, it has been separated from, and declared independent of, the rest of China.

The Council, in its resolution of September 30th, 1931, noted the declaration of the Japanese representative that his Government would continue, as rapidly as possible, the withdrawal of its troops, which had already been begun, into the railway zone in proportion as the safety of the lives and property of Japanese nationals was effectively ensured, and that it hoped to carry out this intention in full as speedily as might be. Further, in its resolution of December 10th, 1931, the Council, re-affirming its resolution of September 30th, noted

the undertaking of the two parties to adopt all measures necessary to avoid any further aggravation of the situation and to refrain from any initiative which might lead to further fighting and loss of life.

It should be pointed out in connection with these events that, under Article 10 of the Covenant, the Members of the League undertake to respect the territorial integrity and existing political independence of all Members of the League.

Lastly, under Article 12 of the Covenant, the Members of the League agree that, if there should arise between them any dispute likely to lead to a rupture, they will submit the matter either to arbitration or judicial settlement or to enquiry by the Council.

While at the origin of the state of tension that existed before September 18th, 1931, certain responsibilities would appear to lie on one side and the other, no question of Chinese responsibility can arise for the development of events since September 18th, 1931.

The report then presented the recommendations deemed just and proper in regard to the dispute. The settlement of the dispute should observe the provisions of the Covenant of the League of Nations, the Pact of Paris and the Nine-Power Treaty of Washington, and the provisions of the resolutions adopted by the Assembly on March 11th, 1932. Further, in order that a lasting understanding might be established between China and Japan on the basis of respect for these international undertakings, the settlement of the dispute must conform to the ten principles laid down by the Commission of Enquiry.<sup>1</sup>

The report, having thus defined the principles, conditions and considerations applicable to the settlement of the dispute, submitted to the Assembly as a recommendation made in accordance with paragraph 4 of Article 15 of the Covenant the following resolution :

The Assembly recommends as follows :

1. Whereas the sovereignty over Manchuria belongs to China,

(A) Considering that the presence of Japanese troops outside the zone of the South Manchuria Railway and

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<sup>1</sup> See *The League from Year to Year*, 1931-32, page 173.



their operations outside this zone are incompatible with the legal principles which should govern the settlement of the dispute, and that it is necessary to establish as soon as possible a situation consistent with these principles,

The Assembly recommends the evacuation of these troops. In view of the special circumstances of the case, the first object of the negotiations recommended hereinafter should be to organise this evacuation and to determine the methods, stages and time-limits thereof;

(B) Having regard to the local conditions special to Manchuria, the particular rights and interests possessed by Japan therein, and the rights and interests of third States,

The Assembly recommends the establishment in Manchuria, within a reasonable period, of an organisation under the sovereignty of, and compatible with the administrative integrity of, China. This organisation should provide a wide measure of autonomy, should be in harmony with local conditions and should take account of the multilateral treaties in force, the particular rights and interests of Japan, the rights and interests of third States, and, in general, the principles and conditions reproduced in Section I (c) above; the determination of the respective powers of and relations between the Chinese Central Government and the local authorities should be made the subject of a Declaration by the Chinese Government having the force of an international undertaking.

2. Whereas, in addition to the questions dealt with in the two recommendations I (A) and I (B), the report of the Commission of Enquiry mentions in the principles and conditions for a settlement of the dispute set out in Section I (c) above certain other questions affecting the good understanding between China and Japan, on which peace in the Far East depends,

The Assembly recommends the parties to settle these questions on the basis of the said principles and conditions.

3. Whereas the negotiations necessary for giving effect to the foregoing recommendations should be carried on by means of a suitable organ,

The Assembly recommends the opening of negotiations between the two parties in accordance with the method specified hereinafter.

Each of the parties is invited to inform the Secretary-

General whether it accepts, so far as it is concerned, the recommendations of the Assembly, subject to the sole condition that the other party also accepts them.

The negotiations between the parties should take place with the assistance of a Committee set up by the Assembly as follows : The Assembly hereby invites the Governments of Belgium, Canada, Czechoslovakia, France, Germany, Irish Free State, Italy, the Netherlands, Portugal, Spain, Turkey and the United Kingdom, each to appoint a member of the Committee as soon as the Secretary-General shall have informed them that the two parties accept the Assembly's recommendations. The Secretary-General shall also notify the Governments of the United States of America and of the Union of Soviet Socialist Republics of this acceptance and invite each of them to appoint a member of the Committee should it so desire. Within one month after having been informed of the acceptance of the two parties, the Secretary-General shall take all suitable steps for the opening of negotiations.

In order to enable the Members of the League, after the opening of negotiations, to judge whether each of the parties is acting in conformity with the Assembly's recommendations :

(a) The Committee will, whenever it thinks fit, report on the state of the negotiations, and particularly on the negotiations with regard to the carrying out of recommendations I (A) and I (B) above; as regards recommendation I (A), the Committee will in any case report within three months of the opening of negotiations. These reports shall be communicated by the Secretary-General to the Members of the League and to the non-member States represented on the Committee;

(b) The Committee may submit to the Assembly all questions relating to the interpretation of Section II of Part IV of the present report. The Assembly shall give this interpretation in the same conditions as those in which the present report is adopted, in conformity with Article 15, paragraph 10, of the Covenant.

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In view of the special circumstances of the case, the recommendations did not provide for a mere return to the *status quo* existing before September 1931. They likewise

excluded the maintenance and recognition of the existing regime in Manchuria, such maintenance and recognition being incompatible with the fundamental principles of existing international obligations and with the good understanding between the two countries, on which peace in the Far East depended.

It followed that, in adopting the report, the Members of the League expressed their intention of abstaining, particularly as regarded the existing regime in Manchuria, from any act which might prejudice or delay the carrying out of the recommendations of the report. They would continue not to recognise that regime either *de jure* or *de facto*. They would abstain from taking any isolated action with regard to the situation in Manchuria, and would continue to concert action among themselves as well as with the interested States not members of the League. In regard to the Members of the League who were signatories of the Nine-Power Treaty, it was recalled that, in accordance with the provisions of that Treaty :

Whenever a situation arises which, in the opinion of any one of them, involves the application of the stipulations of the present Treaty, and renders desirable discussion of such application, there shall be full and frank communication between the contracting Powers concerned.

In order to facilitate as far as possible the establishment in the Far East of a situation in conformity with the recommendations of the report, the Secretary-General was instructed to communicate a copy to the States non-members of the League signatories of the Pact of Paris or of the Nine-Power Treaty, expressing on behalf of the Assembly the hope that they would associate themselves with the views expressed in the report, and that they would, if necessary, concert their action and their attitude with the Members of the League.

The Japanese delegation forwarded to the Assembly its observations on the draft report.

The President, on February 24th, announced to the Assembly on behalf of the members of the Special Committee that, after having weighed the considerations submitted by the Japanese delegation, the Committee did

not wish to make any change in the draft report as submitted to the Assembly.

M. Yen (China) declared that his Government would vote in favour of the report.

M. Matsuoka (Japan) announced that his Government found it impossible to accept the report and asked the Assembly not to adopt it.

A vote was then taken by roll-call. The following forty-two States of the forty-four which voted were in favour of the adoption of the report : Albania, Australia, Austria, Belgium, British Empire, Bulgaria, Canada, China, Colombia, Czechoslovakia, Denmark, Estonia, Finland, France, Germany, Greece, Guatemala, Haiti, Hungary, India, Irish Free State, Italy, Latvia, Lithuania, Luxemburg, Mexico, Netherlands, New Zealand, Norway, Panama, Persia, Poland, Portugal, Roumania, Spain, Sweden, Switzerland, Turkey, Union of South Africa, Uruguay, Venezuela, Yugoslavia.

Japan voted against the report and Siam abstained.

In view of the fact that under Article 15 of the Covenant the votes of the parties did not count in reckoning unanimity, and that unanimity in the Assembly was constituted by the unanimous votes of the States represented on the Council and the majority of the States represented in the Assembly, the President noted that the report had been unanimously adopted.

The President, after reminding the Assembly of the legal bearing of the vote, made the following statement :

The recommendations which we have formulated, and which the Assembly has unanimously approved, do not possess the executive force of an arbitral award; they stand as an offer of collaboration in the settlement of the dispute, an offer extended in all good faith and goodwill to the two nations parties to the dispute by the other nations with which they have entered into a voluntary association.

To-day our recommendations have been rejected by one of the parties, which is tempted to retire into isolation and to pursue its policy without considering the opinion of the other States.

I have not abandoned the hope that a day will come when our offer will be accepted by both parties. I trust also that

neither of them will be guilty of an irreparable act. The use of force, far from hastening or facilitating a solution of the dispute, can only prolong and aggravate it. Finally, the world fully realises that some day an international settlement will have to be reached, and that the nations will have to continue to seek a solution for the present dispute.

Such a solution — which must be equitable and must reconcile the rights and interests of two great nations — is necessary for the progress of mankind, for the moral and material development of the East.

M. Matsuoka (Japan) expressed his deep regret and disappointment at the vote of the Assembly. He emphasised that the policy of his country, as a Member of the League of Nations since its origin, was essentially inspired by a desire to guarantee peace in the Far East and to contribute to the maintenance of peace in the world. His Government was now forced to the conclusion that Japan and the other Members of the League had different views as to the means of establishing peace in the Far East. Japan, in those circumstances, had gone as far as it was possible for her to go in her efforts to co-operate with the League of Nations in Sino-Japanese problems. Japan would, nevertheless, continue to do its utmost to establish peace in the Far East, and would continue to co-operate in the task of universal peace to the extent in which such co-operation remained possible.

M. Matsuoka and the other members of the Japanese delegation, after thanking the President, the Members of the Council and the Members of the Assembly for their efforts during the last seventeen months, then left the Assembly room.

The Japanese delegation subsequently published, under Article 15, paragraph 5, of the Covenant, a statement of the facts of the dispute and of its conclusions regarding the same. The Japanese Government in that document affirmed that the action of the Japanese army on the night of September 18th, 1931, and subsequent to that date, had never exceeded the limits appropriate to measures of legitimate defence, and that "Manchukuo" had been established as a result of a spontaneous movement on the part of the people of Manchuria.

The Japanese delegation added that, in view of the

extremely complex and special character of the Manchurian problem and the anti-foreign policy of the National Government of China, it was impossible to apply to the dispute the general principles followed in the case of an ordinary international question. It pointed out, in conclusion, that the Covenant of the League of Nations provided, in Article 21, for the recognition of regional understandings, and it represented that the Protocol as between Japan and "Manchukuo" of September 15th, 1932, undoubtedly came within the category of such understandings, since the special interests of Japan in Manchuria had on many occasions been recognised. The Japanese Government again declared that it repudiated any desire for territorial acquisition or commercial advantages.

The Japanese Government, on March 27th, declared its intention of withdrawing from the League of Nations on the expiry of the time-limit of two years provided by Article 1, paragraph 3, of the Covenant.

The Secretary-General, in conformity with the last paragraph of the report adopted by the Assembly, communicated copies to the States non-members of the League of Nations parties to the Pact of Paris and the Nine-Power Treaty.

The Secretary of State of the United States of America, in reply to this communication, intimated that the American Government was in general agreement with the conclusions of the Assembly. More particularly, in their affirmations respectively of the principle of non-recognition and their attitude in regard thereto, the League of Nations and the United States were on common ground.<sup>1</sup>

The Government of the Union of Soviet Socialist Republics, in a communication dated March 8th, stated that it had not found it possible to associate itself with the decisions taken by the Assembly. Nevertheless, it noticed a certain coincidence as between the views on which the decisions taken by the League were based and those of the Union of Soviet Socialist Republics, and concluded with the declaration that, faithful to its policy of peace, it would always associate itself with any action

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<sup>1</sup> The Senate of the Free City of Danzig also intimated that it associated itself with the views expressed in the report.

or proposal submitted by international organisations or certain Governments with a view to the rapid and just settlement of the dispute.

The Assembly, after adopting the report, voted, at a meeting held on February 24th, the following resolution :

Whereas in virtue of Article 3, paragraph 3, of the Covenant, the Assembly may deal at its meetings with any matter affecting the peace of the world, and therefore cannot regard with indifference the development of the Sino-Japanese dispute;

And whereas, according to Part IV, Section 3, of the report adopted by the Assembly in virtue of Article 15, paragraph 4, the Members of the League "intend to abstain from taking any isolated action with regard to the situation in Manchuria, and to continue to concert their action among themselves as well as with the interested States not members of the League", and, "in order to facilitate as far as possible the establishment in the Far East of a situation in conformity with the recommendations of the present report, the Secretary-General is instructed to communicate a copy of this report to the States non-members of the League who are signatories of or have acceded to the Pact of Paris or of the Nine-Power Treaty, informing them of the Assembly's hope that they will associate themselves with the views expressed in the report, and that they will, if necessary, concert their action and their attitude with the Members of the League";

The Assembly decides to appoint an Advisory Committee to follow the situation, to assist the Assembly in performing its duties under Article 3, paragraph 3, and, with the same objects, to aid the Members of the League in concerting their action and their attitude among themselves and with the non-member States.

The Committee will consist of the Members of the Committee of Nineteen and the representatives of Canada and the Netherlands.

The Committee will invite the Governments of the United States of America and the Union of Soviet Socialist Republics to take part in its work.

It shall report and make proposals to the Assembly whenever it thinks fit. It shall also communicate its reports to the Governments of the States non-members of the League which are taking part in its proceedings.

The Assembly shall remain in session and its President, after consulting the Committee, may convene it whenever he thinks fit.

The Secretary of State of the United States of America, in reply to the invitation addressed to it, replied that it was necessary for the American Government to exercise its independence of judgment as to the proposals which might be made or the measures which might be recommended by the Advisory Committee. It intimated that it was instructing the Minister for the United States in Switzerland to hold himself ready to participate in the work of the Committee, but without the right to vote, if such participation was desired. The Advisory Committee, on March 15th, invited the Minister for the United States in Switzerland to participate in its discussions subject to the conditions indicated by the Secretary of State.

The Soviet Government, in its communication of March 8th, to which reference has already been made, stated that it was not possible for it at the moment to take part in the work of the Committee.

The Advisory Committee, under the chairmanship of M. Lange (Norway), considered two questions : the question of the export of arms in relation to the situation in the Far East and the question of the application of the undertakings contained in Part IV, Section 3, of the report adopted by the Assembly relating to the non-recognition of "Manchukuo".

The Committee on June 7th addressed to the Members of the League and to non-member States a circular letter concerning the measures resulting from the acceptance of the principle of non-recognition.

The Committee in this communication defined the steps which the States should take so far as they were severally concerned in regard to the following questions : Participation of the present Government of Manchuria in international Conventions; postal services and stamps; non-recognition internationally of the currency of "Manchukuo"; acceptance by foreigners of concessions or posts in Manchuria; passports; the position of consuls; application of the system of import and export certificates under the Opium Convention of 1925 and the Limitation Convention of 1931.



The Committee finally reminded the Governments that it remained at their disposal for the examination of any question coming under its terms of reference.

The Secretary-General, in forwarding this circular letter to the Governments which had taken part in the work of the Advisory Committee, stated that, failing notice to the contrary, these Governments would be regarded as having adopted the measures recommended. The Government of Mexico, however, explicitly expressed its agreement, and the Government of the United States declared that, except in respect of certain points of detail, it associated itself with the conclusions of the Committee.

Of the States Members of the League, but not represented on the Committee, the Governments of Cuba, Haiti, India, Nicaragua and of Venezuela declared that they were noting the measures recommended in the circular letter.

Of the States non-members of the League, the Government of Egypt associated itself with the views expressed in the circular.

## II. — DISPUTE BETWEEN BOLIVIA AND PARAGUAY.

On December 31st, 1932, the Commission of Neutrals at Washington informed the Council that it had asked the four countries adjacent to Bolivia and Paraguay what steps they were disposed to take with a view to preventing bloodshed. The Council had two weeks previously decided to support the proposals made by the Commission of Neutrals to the Governments of Bolivia and Paraguay with a view to the cessation, on the basis of a just arbitration, of the hostilities between the two countries.

At a meeting of the Council on February 3rd, the Committee of Three (Spain, Guatemala and the Irish Free State), which had been instructed to follow the question, intimated that it had proposed the despatch to the spot of a small commission. The two Governments of Bolivia and Paraguay, however, while declaring themselves, in principle, as in favour of the proposal, had expressed the view that it was desirable to await the results of the efforts undertaken by the countries adjacent to Bolivia and Paraguay, and particularly by the Argentine and Chile, in

co-operation with the Commission of Neutrals. The Council, in these circumstances, confined itself to addressing to the two Governments, Members of the League and bound by the Covenant, an urgent appeal to stop hostilities and to conclude an armistice.

The Governments of the United Kingdom and France, on February 22nd, in a memorandum addressed to the Secretary-General, emphasised that one of the difficulties in the way of a suspension of hostilities was the fear on either side of a possible re-armament of the opposite party. Bolivia and Paraguay were not producers of arms, munitions or implements of war, so that any increase in their military power depended on despatches from abroad. The two Governments, in these circumstances, proposed that the Council should study the measures which, in application of Article 11 of the Covenant, might prevent the furnishing of arms and munitions to the two countries.

The members of the Committee of Three, on March 6th, making particular reference to this memorandum, asked that the dispute between Bolivia and Paraguay, which the Council had hitherto examined under Article 4 of the Covenant, should henceforth be placed on the agenda of the Council in application of Article 11 of the Covenant.

Paraguay, on May 10th, declared a state of war with Bolivia. The Government of Bolivia, in a telegram addressed to the Secretary-General, at once represented that Paraguay, in declaring war on Bolivia at the very moment when further steps were being taken on behalf of peace both by the Commission of Neutrals in Washington and by the neighbouring countries, had placed herself outside the Covenant and incurred the sanctions provided for in Article 16.

The Secretary-General, in acknowledging this telegram, asked, on behalf of the Committee of Three, whether the Bolivian Government was prepared to submit to an arbitral decision both in respect of the determination of the questions to be subjected to arbitration and in respect of those questions themselves, it being understood that the arbitration procedure would be determined by the Council. The Secretary-General at the same time intimated that Paraguay had declared her readiness to accept arbitration on these two points, and that the Committee was asking

the Government of Paraguay to confirm its previous attitude in regard to them.

The Government of Bolivia replied that it was still prepared to submit its dispute with Paraguay to arbitration, but that it considered that a previous arbitration in regard to the matter in dispute was unacceptable. It represented that the best way of organising an effective arbitration would be for Paraguay to indicate what she believed to be her property in the Chaco, as Bolivia had already done. The Government of Paraguay, in reply to an enquiry by the Secretary-General, intimated that it had declared a state of war with Bolivia after the neighbouring States had withdrawn their good offices as a result of Bolivia's attitude. The Government of Paraguay repeated its acceptance of arbitration, but emphasised that the bases and conditions of the arbitration should be examined after a cessation of hostilities had been obtained with a certainty that they would not be renewed.

The Council, on May 15th, met in extraordinary session. The representative of Paraguay defined the meaning attached by his country to the declaration of the state of war with Bolivia :

By notifying the said state of war to all civilised countries, Paraguay is not resorting to war in the sense in which that term is used in the first paragraph of Article 16 of the Covenant, for the reason that such a state of war was already in existence and had been brought about by Bolivia, as could easily be proved by an international enquiry. Furthermore, in doing so, Paraguay did not refuse to accept the obligations incumbent upon her as a Member of the League of Nations for the purposes of an arbitral or judicial settlement of the dispute. She has not, therefore, broken the undertakings prescribed in Articles 12, 13 and 15 of the Covenant, because, since the dispute cannot be satisfactorily settled through diplomatic channels, she is still in favour of submitting it *in toto* to arbitral or judicial settlement. It follows that the provisions of Article 15 are not applicable.

The representative of Paraguay added that the declaration of a state of war would *ipso facto* involve a declaration of neutrality on the part of the adjacent States. The League would thus be able to intervene in a just and equitable manner.

The representative of Bolivia urged, in reply, that the conciliation procedure before the Commission of Neutrals at Washington was still following its course, and that Bolivia had welcomed the initiative taken by the Governments of the Argentine and Chile with the assistance of the Governments of Peru and Brazil. Paraguay, by its declaration of a state of war during this period of conciliation, was violating the Covenant.

The Committee of Three, on May 20th, submitted to the Council proposals for the settlement of the dispute. It suggested that the two parties should entrust the final settlement of the dispute to an impartial authority deriving its powers from the Covenant. This Committee would fix the frontier between the two countries. It was necessary, however, that hostilities should previously cease and that Paraguay should withdraw her declaration of a state of war with Bolivia. Moreover, an agreement for the submission of the dispute to arbitration should be established.

It was accordingly proposed to send to the spot a commission : (1) to negotiate a cessation of hostilities, (2) to prepare an arbitration agreement and (3) to keep the Council informed of its work and report to the Council on the progress of its activities.

The Members of the Council other than the parties, together with the representative of Paraguay, approved the report. The representative of Bolivia reserved the decision of his Government.

The Committee of Three, from the end of May to the beginning of July, endeavoured to secure an agreement between Bolivia and Paraguay, but did not succeed. Paraguay contended that a cessation of hostilities, accompanied by effective measures of security, should precede any negotiations for the establishment of an agreement for arbitration. Bolivia, on the other hand, represented that the establishment of an arbitration agreement should precede the cessation of hostilities. The Committee, reporting to the Council, proposed that the contemplated commission of enquiry should be sent with instructions to fulfil its duties regarded as a whole and in the best

possible manner, having regard to the situation which it would find on reaching the spot.

The Bolivian delegation, on June 26th, agreed to the despatch of the commission. It was understood that, if the negotiations taking place at Geneva between the parties were unsuccessful, it would be one of the duties of the commission to prepare, in consultation with the two Governments, an arbitration agreement.

The Council, on July 3rd, which included the representatives of the parties, adopted the proposals of the Committee of Three. The Committee of Three was authorised as quickly as possible to appoint the members of the commission and to take the necessary steps to begin direct negotiations at Geneva prior to the arrival of the commission on the spot. The Committee, on July 19th, constituted a Commission of five members, which might be assisted by two assessors, one appointed by Bolivia and the other by Paraguay.

The Committee of the Council, on July 26th, however, was asked to consider two communications, one from Bolivia and the other from Paraguay, requesting that the task entrusted to the Commission appointed to make an enquiry on the spot should be confided to the Governments of the four adjacent States — the Argentine, Brazil, Chile and Peru — which would endeavour to suggest to the parties a formula which might result in establishing between them a durable and just peace.

The Council, on August 3rd, met again in extraordinary session. After declaring that the report of July 3rd retained all its executive force and emphasising that the League of Nations was the only legal international body bound by its Covenant to seek a solution of the present dispute, it decided to ask the four adjacent Powers whether they agreed to seek a formula of agreement between the two countries.

The four adjacent Powers, after consultation and an exchange of views between themselves and with the Governments of Bolivia and Paraguay, intimated, on October 1st, that they were unable to accept the invitation of the Council.

The Council, on September 28th, on being informed of

the efforts of the four Powers, had expressed the hope that these efforts would be successful. It had, however, decided that, failing success, its action, which had remained suspended since August 3rd, would be immediately resumed. The Committee of Three accordingly at once proceeded to take the necessary steps for the despatch to the spot of the Commission constituted by the Council.

The Commission was composed as follows : Brigadier-General A. B. Robertson (British), M. J. Alvarez del Vayo, Ambassador (Spanish), General Freydenburg (French), Count Aldrovandi, Ambassador, formerly member of the League of Nations Commission of Enquiry to the Far East (Italian), Major G. R. Rivera Flandes, formerly Director of the Geographical Section at the Ministry of War (Mexican). Mr. J. A. Buero, legal adviser of the League of Nations, was appointed Secretary-General of the Commission, with M. Henry Vigier, Counsellor in the Political Section of the Secretariat, to assist him.

The Commission constituted itself on November 3rd at Montevideo and appointed M. Alvarez del Vayo as its Chairman.

The Governments of Bolivia and Paraguay appointed as assessors M. Gutierrez and Dr. Galiano.

The Commission left Montevideo on November 12th and reached Asunción, where it had conversations with the President of the Republic and the Government of Paraguay. The military members of the Commission visited the Chaco front and rejoined the other members of the Commission which left Paraguay on December 1st for La Paz.

The Commission, while in Bolivia, also had conversations with the President of the Republic and the responsible authorities. At that moment, however, important changes occurred in the situation on the Chaco front, the Government of Paraguay announcing that its army had obtained important successes. The Commission, following these events, received at La Paz a communication from the President of the Republic of Paraguay proposing : (1) a general armistice from December 19th to December 30th; (2) an invitation to the Commission

to convene immediately the representatives of the parties to the dispute to negotiate conditions of security and peace.

Bolivia accepted these proposals and the Commission convened the plenipotentiaries of the two countries to Montevideo and proceeded to that city immediately. The Commission, on its arrival on December 25th, heard the representatives of the parties. On the following day, it telegraphed to the two Governments proposing : (1) a prolongation of the armistice until January 14th in order that the negotiations might be continued in a pacific atmosphere; and (2) the appointment by the Commission of neutral officers to be sent to the general headquarters of the two armies to supervise the observation of the armistice.

The Chairman of the Commission, M. Alvarez del Vayo, on the same day read this proposal at the closing meeting of the Pan-American Conference, at which the Commission had been invited to be present. The Conference, on the proposal of the delegate of the United States of America, unanimously adopted a resolution declaring that Bolivia and Paraguay were obliged by the Covenant of the League of Nations to submit their dispute to a pacific settlement and that it was the duty of the parties to accept the legal procedure recommended by the Commission of the League of Nations. The Conference, at the same time, on the proposal of the Argentine delegate, declared that, if the League of Nations thought it desirable, the Pan-American Union might convene at Buenos Aires a Conference of the adjacent States, with a view to coordinating all the geographical and economic factors calculated to facilitate a solution.

The Commission continued its conversations on the question of security with the Bolivian and Paraguayan military assessors. The Chairman of the Commission and General Freydenburg, at the same time, visited Asunción by aeroplane.

The Commission endeavoured during these negotiations at the end of December to apply the following principles :

(1) The adoption of a procedure for a substantive settlement in law, each party submitting its claims to the Permanent Court of International Justice;

(2) The establishment of a regime of security, including the withdrawal of the armies to the limits of the Chaco, their demobilisation within a fixed period, a limitation of armaments during a period sufficiently long to permit, not only of a substantive settlement, but of a permanent restoration of goodwill, and an international control of these security measures;

(3) An examination of measures which, apart from any territorial consideration, might serve to improve the communications with countries abroad not only of Bolivia but of Paraguay.

All the efforts of the Commission to narrow existing differences between the two countries and to prevent a resumption of hostilities were, however, for the moment rendered vain by the expiration of the armistice, which Paraguay refused to prolong beyond January 6th.

### III. — DISPUTE BETWEEN COLOMBIA AND PERU.

The Government of Colombia, on January 4th, 1933, informed the Council of incidents which had occurred at Leticia, capital of a district which, since the conclusion of the treaty signed at Lima on March 24th, 1922, by Colombia and Peru and ratified in 1928, had formed part of Colombian territory on the Amazon.

On the night of August 31st-September 1st, 1932, individuals coming from Peru had entered Leticia, from which they had driven the Colombian authorities. The assailants had then occupied the territory known as the Trapezium of Leticia, situated between the Putamayo and the Amazon, and fortified their positions. The Colombian Government, to restore order within its territory, had armed a small flotilla, which had ascended the Amazon.

The Government of Peru, to which the communication of Colombia was forwarded, while asserting that it would commit no act contrary to the Covenant of the League of Nations, declared that, without questioning the validity of the treaty in force with Colombia, it desired a modification of that treaty in respect of a part it regarded as inapplicable. The Government of Peru represented that Leticia had been transferred to Colombia without the



wishes of its inhabitants being consulted. It protested at the same time against the military preparations of Colombia and asked that the League should order the suspension of any resort to force.

The Council, whose President, in telegrams addressed to the Governments of Colombia and Peru, had already expressed his conviction that they would abstain from taking any steps which were not strictly in conformity with the Covenant, asked a Committee composed of the representatives of Spain, Guatemala and the Irish Free State to follow the progress of the dispute.

The Council, on January 26th, upon a report of this Committee, addressed two telegrams to the parties. It reminded the Government of Peru that it was the duty of Peru to abstain from any intervention by force within Colombian territory and to ensure that no act should be committed which might prevent the Colombian authorities from exercising their full sovereignty and jurisdiction within their territory. The Council, in its communication to the Colombian Government, expressed the hope that the strictest precautions would be taken to avoid any violation of Peruvian territory and that the Colombian authorities would show the utmost possible clemency and confine their action to the maintenance of order within their own borders.

The situation, in spite of these representations of the Council, did not improve, and the military operations extended.

The Colombian Government, on February 17th, appealed to the Council under Article 15 of the Covenant, and the Council, after considering the situation, proposed to the parties, on March 1st, that a commission of the League of Nations should be entrusted with the administration of the territory in dispute. It was suggested that this territory should be completely evacuated by the Peruvian forces and that Colombia should place at the disposal of the Commission troops which, regarded as international forces, would be responsible for maintaining order. It was understood that negotiations would subsequently be undertaken between the parties with a view to a lasting and satisfactory settlement.

These proposals, accepted by the Republic of Colombia,

were not approved by Peru, which submitted counter-proposals to which the Council was unable to agree. The Committee of the Council accordingly undertook to establish, under paragraph 4 of Article 15 of the Covenant, a report containing a statement of the facts of the dispute and the recommendations that were deemed just and proper in regard thereto. This report was adopted by the Council on March 18th, 1933, the vote of the parties being excluded. It was accepted by Colombia, but Peru voted against the report.

The Council noted that a territory recognised as belonging to Colombia had been invaded by Peruvians, supported by the Peruvian military authorities in the region of the frontier. Moreover, the terms for the settlement of the dispute proposed by the Council under paragraph 3 of Article 15 had been accepted by the Colombian Government and rejected by the Government of Peru. The situation arising from the presence of Peruvian forces within Colombian territory was incompatible with the principles of international law and with the principles of the Covenant of the League of Nations and the Pact of Paris.

The Council, accordingly, in conformity with paragraph 4 of Article 15 of the Covenant, recommended the complete evacuation of the Trapezium of Leticia by the Peruvian forces and the withdrawal of all support from the Peruvian element which had occupied that region. It further recommended that negotiations for the settlement of all outstanding problems on the basis of the treaties in force should be started between the parties and continued with all expedition as soon as the measures necessary for the evacuation of the territory had been taken. The Council declared itself ready to lend its good offices at the request of one of the parties in the event of any disagreement on any question of substance which might arise.

The Council expressed its conviction that the Members of the League would abstain from any act which might prejudice the execution or application of its recommendations and recalled, in this connection, that the Assembly on March 11th, 1932, had declared that the Members of the League were bound not to recognise any situation, treaty or agreement which might be obtained by measures con-

trary to the Covenant of the League of Nations or the Pact of Paris. The Council further alluded to the provisions signed at Washington on August 3rd, 1932, by nineteen American States, including Colombia and Peru, whereby the signatories renounced violence as an instrument of national policy in the relations between American States and declared that they would not recognise the validity of the acquisition of any territory obtained by force.

The Council asked an Advisory Committee to assist it in the exercise of its duties and to help the Members of the League to concert their action, both among themselves and with non-member States. This Committee included the representatives of the following States : the United Kingdom, China, Czechoslovakia, France, Germany, Guatemala, Irish Free State, Italy, Mexico, Norway, Panama, Poland and Spain. The Committee was authorised to invite the Governments of the United States of America and Brazil to co-operate in its work. The Governments of these two States agreed to appoint a representative to participate in the discussions of the Committee without the right to vote.

Further encounters took place between Colombian and Peruvian forces in the course of March, both within Colombian territory and on the Upper Putamayo.

The Chairman of the Advisory Committee, Mr. Lester (Irish Free State), after long negotiations, submitted to the parties, on May 10th, a document fixing the procedure to be followed for the purpose of giving effect to the recommendations of the Council.

The Governments of Colombia and Peru, on May 25th, officially accepted the recommendations of the Council and the proposed methods of application. It was decided that the proposed Commission of the League of Nations should proceed to Leticia within thirty days; that the Peruvian forces within Colombian territory should immediately be withdrawn; and that the Commission should take in hand the administration of the evacuated territory, appealing for this purpose to military forces of its own selection. It was understood that the parties would inform the Advisory Committee of the method which they intended to follow in the conduct of the negotiations.

The Commission to administer the territory of Leticia was composed of Colonel Arthur Brown (American), Commander Alberto de Lemos Basto (Brazilian) and Captain Francisco Iglesias (Spanish). The Commission, on June 23rd, took possession of the territory of Leticia, which was evacuated by the Peruvian forces.

The negotiations between the parties opened in November at Rio de Janeiro under the chairmanship of M. de Mello Franco, Minister for Foreign Affairs of Brazil.

#### IV. — DISPUTE BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM AND THE IMPERIAL GOVERNMENT OF PERSIA.

The Council of the League of Nations, on December 14th, 1932, following a dispute which had arisen between the United Kingdom and Persia in regard to the cancelling of a concession held by the Anglo-Persian Oil Company, was asked by the United Kingdom Government to deal with the matter in conformity with Article 15 of the Covenant.

The Persian Government, on December 19th, 1932, requested that time should be allowed for the despatch of a special representative to Geneva and for providing the Council with the necessary information. The Persian Government, on January 19th, 1933, forwarded to the Secretary-General a memorandum setting forth its views on the question.

The memorandum submitted by the Persian Government, after summarising the history of the concession, described the privileges which it had accorded to the Anglo-Persian Oil Company and the obligations contracted by the Company. The Persian Government, under the concession, was to receive, in addition to certain sums in currency and in shares, 16 per cent of the annual net profits of all the companies which might be constituted with a view to exploiting the concession. Differences had arisen between the Persian Government and the Company in the interpretation of the agreement and, more particularly, as to the basis on which the annual net profits of the company should be calculated in determining the amount

of the royalties due to the Persian Government. These differences had been provisionally settled on December 22nd, 1920, by two agreements, one fixing the basis on which the profits of the Company should be calculated and the other providing that the Persian Government should accept in final settlement of all outstanding questions the sum of one million pounds sterling.

The Persian Government, however, had represented that these agreements were not limited to interpreting a concession contract, but that they implied a revision of certain articles. It had accordingly considered that from that moment the concession might be regarded as no longer valid and that a new concession should be negotiated.

The negotiations for a new concession had been opened in March 1929, but it was only at the beginning of 1932 that a preliminary arrangement had been signed. Under this arrangement, an agreement in regard to royalties had been subsequently initialled on behalf of the Company, but not ratified by the Persian Government, which, in June 1932, had asked that new negotiations should be started and had declared that it was studying new proposals for submission to the Company.

The Persian Government, in the meantime, had been notified of the provisional amount of the royalty due for 1931, which had decreased, in comparison with 1930, from 1,288,312 million pounds sterling to 306,872. It had refused to accept the royalty and had declared its intention of cancelling the concession on November 27th, 1932.

The Persian Government did not question the legal authority of the concession. It represented that the Company had not fulfilled its obligations and that, apart from the difference which had arisen in regard to the payment of the royalties, the Company had not carried out its undertakings for the development of the oil resources according to the principles laid down in the concession. The Company, moreover, had not fulfilled its obligations to employ Persian nationals in exploiting the concession and, in its disputes with the Persian Government, it had refused to respect the undertaking into which it had entered, in accordance with the terms of Article 17 of the concession, to have recourse to arbitration.

The Persian Government therefore considered itself justified in cancelling the concession. Moreover, it did not consider that the Government of the United Kingdom had any right to intervene, since the Anglo-Persian Oil Company was free to seek redress in the Persian courts and had been invited to negotiate a new contract with the Persian Government.

The Government of the United Kingdom pleaded that, as the concession had been annulled by an act approved by the Mejliss, the Anglo-Persian Oil Company had been deprived of any possibility of obtaining redress in the Persian courts, which would have been bound to conform with the law adopted. Diplomatic intervention therefore seemed, in the circumstances, to be justified.

The dispute came before the Council on January 24th, 1933. The two parties completed by oral statements the written memoranda which they had sent to the League of Nations, and the Council appointed a Rapporteur to make a thorough study of the question, in consultation with the two parties, and to submit proposals for an agreement.

The Rapporteur, on February 3rd, 1933, informed the Council that he had induced the two parties to conclude a provisional agreement under which they suspended the procedure before the Council and agreed that the Anglo-Persian Oil Company should negotiate directly with the Persian Government, it being understood that their respective legal contentions were reserved. It was further understood that, during the negotiations and until the question had been finally settled, the Company would continue its operations in Persia under the same conditions as prevailed before the Persian Government had intimated that it regarded the concession as being cancelled.

The Minister for Foreign Affairs of Persia informed the Secretary-General, on May 1st, that the negotiations at Teheran with the representatives of the Company had resulted in the framing of a new concession, which had been signed on April 29th, 1933.

On October 12th, the Council formally noted that the dispute had been finally settled.

V. — REQUEST FOR ASSISTANCE FROM THE GOVERNMENT OF LIBERIA.<sup>1</sup>

The request for assistance of the Government of Liberia was submitted to the Council in January 1931. The Council asked a Special Committee to consider the means whereby the League might respond to this request.

The Government of the United States of America agreed to participate in the work of the Special Committee.

The Committee, on the basis of the conclusions reached by three experts who visited Liberia in July 1931, laid down the general lines of a plan of assistance which was adopted in September 1932 by the Liberian Government. The Liberian Government, however, made its acceptance conditional upon the satisfactory conclusion of negotiations which were to take place between itself and the Finance Corporation of America.

Negotiations took place in London in June 1933, and they enabled the Committee to draft a Protocol for acceptance by the Liberian Government.

The Liberian Government submitted certain observations which were the subject of further consideration. Its objections were more particularly of a constitutional character. The Committee, in order to meet the views of the Liberian Government, introduced certain amendments into the original plan, and definitely declared that the political independence of the Republic, its territorial integrity and the exercise of its sovereign rights had been respected.

The Council, in these circumstances,<sup>a</sup> forwarded the revised plan to the Government of Liberia, drawing attention to the care with which it had considered the problem over a period of three years.

The Council noted at the same time a communication from the representative of the United States, informing it of the adherence to the plan of the Finance Corporation of America. The representative of Liberia communicated certain reservations, in regard to which the Chairman of

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<sup>1</sup> See *The League from Year to Year*, 1931-32, page 184.

the special Committee, Viscount Cecil, observed that the plan was in no way intended to prejudice the independence of Liberia, and that the Liberian Government remained free to accept or reject the offer made to it.

The Council, in forwarding the plan to the Liberian Government, stipulated that it was submitted for acceptance as a whole.

#### VI. — COMMISSION OF ENQUIRY FOR EUROPEAN UNION.

The Commission of Enquiry for European Union was not able to meet in 1933. The Assembly, in these circumstances, decided to renew the term of office of the Commission for 1934 and to place the report of the Commission on the agenda of its next session.

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## CHAPTER IX

# TECHNICAL CO-OPERATION BETWEEN THE LEAGUE OF NATIONS AND CHINA

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The technical co-operation between the League of Nations and China which began in 1920 was extended in 1933.

The Chinese Government, in a communication to the Council on June 28th, intimated that, having decided to undertake a plan of national reconstruction in certain provinces, it felt it was desirable, with a view to ensuring a more continuous co-operation with the League of Nations, that there should be appointed a technical officer accredited to the Government and National Economic Council of China.

On July 18th, a Committee, consisting of the President of the Council and representatives of the United Kingdom, China, Czechoslovakia, France, Germany, Italy, Norway and Spain, appointed for one year, in response to this request of the Chinese Government, Dr. Rajchman, Director of the Health Section of the Secretariat, as technical delegate in China. A representative of the United States of America participated in the work of the Committee.

It was understood that it would be the duty of the technical delegate to forward to the Secretary-General, with a view to their submission to the competent organisations, such proposals as the Chinese Government might desire to submit. The technical delegate was authorised to afford such assistance to the Chinese Government as might be necessary to provide it with the necessary experts. It would also be his duty to assist the National Economic Council in co-ordinating on the spot the activities of the experts appointed by the Technical Organisation of the League.

Precise indications in regard to the technical co-operation between the League of Nations and China in their respective fields will be found in the chapters dealing with the work of the Health Organisation, the Organisation for Communications and Transit, the Economic and Financial Organisation, and the Intellectual Co-operation Organisation of the League.

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## CHAPTER X

### PROTECTION OF MINORITIES

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- I. The Protection of Minorities before the Assembly. — II. Minorities in Poland. — III. Minorities in Upper Silesia. — IV. Minorities in Yugoslavia. — V. Examination of Petitions by Minorities Committees. — VI. Settlement of the Assyrians in Iraq.

#### I. — THE PROTECTION OF MINORITIES BEFORE THE ASSEMBLY.

The work of the League of Nations in the protection of minorities was, as a result of a proposal submitted by the representative of Germany, the subject of a wide discussion in the Sixth Committee of the Assembly. Not only did the Committee deal with the procedure applied to minorities petitions; it also considered the obligations lying upon States which were not bound by minorities treaties either as a result of the resolution adopted by the Assembly in 1922, which the Assembly was asked again to reaffirm, or in connection with a proposal that present minority undertakings in force for certain countries should be generalised. Certain delegations declared that modern civilisation implied the right for all citizens of a State to equal treatment in law and in fact. The German delegation, on the other hand, represented that a State retained the sovereign right to settle a problem which it regarded as *sui generis*, such as the problem of the Jews, as a question of domestic policy.

The Committee, during the discussion, considered four different proposals. One proposal, submitted by the United Kingdom, Danish, Netherlands and Norwegian delegations, related to procedure; the three other proposals, submitted respectively by the delegations of France,

Poland and Haiti, raised the general problem of minorities.

The first proposal was to the effect that the Assembly should ask the Council to consider the desirability of modifying the procedure in force. It was, in particular, suggested that petitioners should be informed of the reasons for which their petitions were declared non-receivable, and that Minorities Committees should explain to the Council the reasons for which they might decide to place any particular minority question on the Council agenda. Lastly, it was suggested that these Committees, when closing the consideration of a question without bringing it before the Council, should be free to publish their decisions, accompanied, if necessary, by such explanations as they might deem to be useful.

The French proposal embodied two suggestions : first, that the Assembly should reaffirm the recommendation adopted on September 21st, 1922, and declare that States which were not bound by any legal obligations to the League with respect to minorities must nevertheless observe, in the treatment of their own racial, religious or linguistic minorities, at least as high a standard of justice and toleration as was required by any of the treaties and by the regular action of the Council; and, secondly, that the Assembly should consider that there was no justification for any interpretation of the minorities treaties or of the foregoing recommendation which would exclude certain categories of citizens from the benefits of the provisions which, in those treaties, referred to all nationals, without distinction of race, language or religion.

The Polish proposal was that the Assembly should request the Council to appoint a committee of enquiry to study the problem of the general application of the system of minorities protection and submit to the next session of the Assembly a draft general convention on the protection of minorities involving the same obligations for all States Members of the League.

The proposal submitted by the delegation of Haiti was to the effect that the Assembly should express the hope that a world convention ensuring protection and

respect for the rights of men and citizens should be drawn up under the auspices of the League.

These proposals were referred to a Sub-Committee.

After a discussion, devoted in particular to the previous question of the competence of the Assembly in respect of minority procedure, in regard to which a decision was not taken, the United Kingdom delegation substituted for its first proposal a suggestion to the effect that the Assembly should communicate to the Council the Minutes of the discussions of the Sixth Committee on the question of the procedure followed in regard to the protection of minorities. This proposal was adopted, amended so that it might apply to the whole discussion on the minorities problem.

The proposals of the delegations of Poland and Haiti, together with a further compromise proposal submitted by the Swedish delegation, gave rise to an exchange of views. The Swedish proposal was that the Assembly should request the Council to make such arrangements as it might think fit for a preparatory study of the question of consolidating the principle of the protection of minorities by legal obligations. In the course of the discussion it was also suggested that, for the moment, the Governments of the States Members of the League should merely be asked their opinion on the expediency of studying the question. Neither this last suggestion, however, nor the previous proposals were adopted, certain delegations stating that it would be impossible for them to support any such measures. The delegations of Sweden, Poland and Haiti agreed, therefore, not to press for a vote on their respective proposals. Several delegations expressed regret that it had not been possible to arrange for a study to be made of the question of the generalisation, at least in Europe, of the system for the protection of minorities and of the rights of man and of the citizen. They added that, in their opinion, the generalisation of the system was essential in deference to the principle of the legal equality of States and that it could not be indefinitely deferred without gravely endangering the value of the treaties already in operation.

The first part of the French proposal was subsequently accepted, amended so as to reproduce the text of the

resolution of 1922. The second part of the French proposal gave rise to considerable discussion.

The German delegation intimated that it regarded the idea underlying this text as directly referring to the Jewish question in Germany, and that it was therefore impossible for that delegation to agree to the proposal, no matter in what form it might be expressed. The Government of the Reich considered that the question related solely to matters within the field of the domestic legislation of Germany.

This paragraph was, nevertheless, adopted unanimously by the Sub-Committee, and subsequently by the full Committee, in the following form, the German delegation abstaining from the vote :

The Assembly considers that the principles expounded in the resolution, which reaffirms the recommendation of 1922, must be applied without exception to all classes of nationals of a State which differ from the majority of the population in race, language or religion.

The representatives of Italy and Hungary explicitly stated that the fact that they voted for this text did not imply any expression of opinion on their part with regard to any question affecting domestic policy in any other country.

The Assembly approved the draft resolution which reaffirmed the recommendation of September 21st, 1922, and the resolution to the effect that the Minutes of the discussion which had taken place in the Sixth Committee on the question of minorities as a whole should be communicated to the Council.

The draft resolution declaring that the principles embodied in the resolution, which reaffirmed the recommendation of 1922, should apply without exception to all classes of nationals of a State that differed from the majority of the population in race, language or religion was not adopted, the representative of Germany voting against it.

## II. — MINORITIES IN POLAND.

The Council, at the beginning of 1933, again considered the question of the execution of agrarian reform in Poland.

The point at issue<sup>1</sup> was whether the execution of this reform in the voivodships of Poznan and Pomorze had been effected in such a way as to introduce a discrimination to the detriment of the German minority.

The representative of Germany on the Council on December 9th, 1932, had rejected the practical proposals submitted by a Committee consisting of the representatives of Japan (Rapporteur for minorities questions), of the United Kingdom and of Italy, which, at the request of the Council, had made a special study of the problem. The Council had then asked this Committee to reconsider the question in the light of the observations made by the representative of Germany.

The Rapporteur, on February 1st, 1933, informed the Council that the proposals submitted by the German delegation had not commended themselves to the Committee, and that he had been unable to secure the agreement of the German Government to the proposals of December 9th. In these circumstances, he confined himself to a formal declaration that the negotiations had not resulted in any positive solution.

The representative of Germany declared that, owing to the divergences of opinion between Poland and Germany regarding the execution of the agrarian reform, the German Government found it necessary to refer the matter to the Permanent Court of International Justice.

The Council, in view of this statement, declared its examination of the question to be closed.

### III. — MINORITIES IN UPPER SILESIA.

The Council examined several questions relating to the protection of minorities in Upper Silesia.<sup>2</sup>

The Council was asked to consider various petitions concerning the German minority relating, in particular, to the property rights over the St. Julius Hospital at Rybnik. It considered the question whether, in

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<sup>1</sup> See *The League from Year to Year*, 1932, page 190.

<sup>2</sup> *Ibid.*, pages 192 and 193.

application of Article 147 of the Convention of 1922, it might undertake the examination of the petition when it was pleaded that the persons concerned had not previously exhausted the means of recourse available under internal legislation. The Council, after this question had been considered by a Committee of Jurists, replied in the affirmative.

The Council, moreover, had, in 1932, submitted to a Committee of Jurists the following question, which had been raised as the result of a petition from the Polish Catholic School Association of Upper Silesia: Have the authorities the right to demand that pupils of the minority private extension or vocational schools, established in conformity with Article 115 of the Convention relating to Upper Silesia, should at the same time attend State schools until the instruction given in the private schools had been declared adequate by the competent authorities?

The Committee of Jurists submitted its report to the Council on this question on February 1st. The Committee of Jurists was of opinion that, to render possible the normal exercise of the right of the members of minorities to be exempted from attending State schools when attending private schools or courses giving adequate instruction, and to ensure the normal working of the private schools and courses, the State education authorities should refrain from requiring attendance at State establishments until they had definitely decided whether the corresponding private education was adequate or not. On the other hand, members of the minority could not claim exemption from State education merely on the ground that they were attending a private class, if the education authorities had not recognised in advance, at all events provisionally, that the classes could provide adequate training. Such provisional recognition involved provisional exemption from attendance at the State school. The jurists observed, however, that it was desirable that the period during which the State exercised control, in order to ascertain whether the instruction given was adequate or not, should be as short as was compatible with a serious consideration of the matter. If, after the period of control, the competent authority came to the conclusion that the instruction was



inadequate, it was under no obligation to regard the period of attendance at the private school in question as valid from the point of view of school attendance.

The opinion of the jurists was adopted by the Council.

The Council also examined two petitions from the Association of Poles in Germany. It was alleged in the first of these petitions that, at the time of the elections to the Prussian Diet in April 1932, the Polish minority had been prevented from expressing its will freely, owing to the attitude adopted by the German authorities and to a series of acts of terrorism. The German Government contested the allegations of the petitioners. The Council, approving a report submitted by the representative of Japan, noted the explanations of the German Government, and deemed them to be satisfactory. In reference to the complaints made that there had been cases of violence, the Council was not of opinion that their importance justified a detailed examination by the Council, and the Secretary-General was instructed to forward them to the German Government for submission to the local procedure.

The second petition of the Association of Poles in Germany referred to the attitude of agents of the German Government on the occasion of the murder of a national of the Polish minority, which occurred on August 10th, 1932, at Potempa. It was stated in the petition that the criminal court had condemned to death five of the murderers, but that the Government had commuted the death penalty to imprisonment; it was further stated that the murderers had subsequently been set at liberty on March 15th, 1933. The petition represented that, as a result of these events, the minority had lost all feeling of security.

The German Government replied that the action of the murderers had been directed solely against Communists. It explained, moreover, that its action in setting the guilty persons at liberty was taken in application of a general amnesty. It admitted that certain Press articles might have given rise to anxiety among the minority population, but affirmed that it had always used every effort to avoid any possibility of a false interpretation being given to these events.

The representative of Spain, acting as Rapporteur to the Council, emphasised that an examination of the information submitted gave the impression that the feeling of security had been seriously shaken in certain minority circles. This anxiety had arisen owing to the way in which certain newspapers had presented the affair of the murder and owing to the fact that the guilty parties had been released. He considered, however, that the information furnished by the German Government and its declaration that it would not tolerate or excuse any punishable act were calculated to relieve misgiving.

The Council, in adopting the report submitted by the representative of Spain, expressed the hope that the attitude of the authorities in Upper Silesia would always be such that the minority would have full confidence in them, and that these authorities would do their utmost to ensure that the political atmosphere was in harmony with the spirit of the German-Polish Convention.

A petition presented by M. Franz Bernheim on May 12th, 1933, regarding the situation of the Jewish minority in German Upper Silesia, gave rise to a long discussion in the Council.

The question raised in this petition was whether the application of a number of laws and administrative orders promulgated in Germany and concerning the situation of persons of non-Aryan origin, particularly as regarded their admission to the schools, universities, public offices and the exercise of certain professions, was compatible with the minority provisions of the German-Polish Convention relating to Upper Silesia.

The Council, on May 26th, decided to place this petition on its agenda. The German representative on that occasion declared that the international Conventions concluded by Germany could not be affected by German internal legislation, and that, if any infringements of the provisions of the Geneva Convention had taken place in German Upper Silesia, they must be regarded as due to errors committed by subordinate authorities acting upon a mistaken interpretation of the internal laws.

The representative of the Irish Free State, in a report submitted to the Council on May 30th, observed that it

was clear from a reading of the laws and administrative orders referred to in the petition that, in so far as some, at any rate, of their stipulations might have been applied in Upper Silesia, this application could not have taken place without conflicting with the provisions of the Convention of 1922. He thought, however, that the statement made by the German representative a few days previously might be taken to mean that the German Government was resolved to see that the provisions of the Geneva Convention were respected in Upper Silesia, and that the German Government would take measures to ensure that, in so far as they were incompatible with the Geneva Convention, the provisions of these laws would not be applied in Upper Silesia. The statement of the German representative might also be taken to imply that persons who, because they belonged to the minority, had lost their employment and found themselves unable to practise their trade or profession in consequence of the application of these laws would be reinstated without delay. The Rapporteur added that the Council would doubtless desire that it should be kept informed of the decisions and measures which the German Government might think fit to take in this connection in accordance with the principles followed in the past, to the maintenance of which the Council attached great importance. In regard to any damages that might have been sustained, in consequence of the application of these laws and orders in Upper Silesia, by persons belonging to the Jewish minority and in particular by the petitioner himself, he proposed that the German Government should be asked to arrange for the case of the petitioner to be submitted to the local procedure in force in Upper Silesia.

The representative of Germany declared that his Government was unable to accept the terms of the report. The petitioner was not connected with Upper Silesia by any ties either of origin or family, and had only recently been established in business in that region. Even admitting that the petitioner was entitled to claim for himself the rights conferred by Article 147 of the Geneva Convention owing to alleged personal injustice, he had no right whatsoever to submit a petition against the general application of the German laws in Upper Silesia, seeing that these laws did not in any way affect him. Moreover, apart from

the qualifications of the petitioner, a petition of such a character did not seem to him to be admissible, seeing that no final *de facto* situation had yet been created in Upper Silesia in respect of the application of the laws in question. The German Government was of opinion that the Council should have confined itself to noting the declaration made by the representative of Germany on May 26th, and in declaring its consideration of the petition to be closed so far as its general aspects were concerned. As to the personal aspect of the petition, the question whether the petitioner belonged to the minority had not yet been sufficiently examined. The German Government had opened an enquiry, and would, if necessary, be prepared to conclude this affair under the local procedure in conformity with the provisions of the Convention.

The Rapporteur observed that the representative of Germany had raised two previous questions. The first related to the right of M. Bernheim to submit a petition and the second to the right of M. Bernheim to raise a general question. He proposed that on these two points the opinion of a Committee of Jurists, consisting of M. Max Huber, M. Bourquin and M. Pedroso, should be taken.

The representatives of the United Kingdom, Czechoslovakia, France, Guatemala, Norway, Poland and Spain, in assenting to the proposals of the Rapporteur, submitted general observations emphasising the importance which they attached to ensuring full respect for the provisions relating to the protection of minorities.

The representative of Germany maintained that the discussion should be limited to the situation in Upper Silesia, and must in no way exceed the competence of the Council.

The Council decided unanimously, the representative of Germany abstaining from the vote, to constitute a Committee of Jurists. This Committee a few days later submitted its report to the Council, and the report was formally noted by the Council on June 6th. The Committee of Jurists replied in the negative to the question whether, with a view to determining the Council's incompetence to take a decision on the petition, it could be validly argued : (1) that the petitioner did not belong to the

minority because he had no sufficient connections with Upper Silesia; (2) that the petitioner had not himself suffered from the laws and other provisions to which he called attention as contrary to the Convention; and (3) that the enforcement of those laws had not yet given rise to a permanent *de facto* situation in Upper Silesia.

The representative of Germany, while paying a tribute to the work of the jurists, declared that he was not convinced by their arguments, and that he would therefore abstain from voting on the report. The German Government had, from the outset of the discussion, without prejudice to question of procedure, intimated that it regarded itself bound by international treaties, and therefore by the Geneva Convention, and that any measures which might have been taken by subordinate authorities contrary to the provisions of the Convention would be corrected. In the light of such a declaration, the whole of the discussion had, in the view of the German Government, been unnecessary. He observed, in reference to the opinions expressed by the Committee of Jurists, that the Council, in adopting that opinion, would be accepting, as regarded the protection of minorities in Upper Silesia, a principle which would henceforth apply to all petitions, against whomsoever they might be brought.

The report submitted on May 30th by the representative of the Irish Free State was adopted in a slightly amended form, the representatives of Germany and Italy abstaining from the vote.

#### IV. — MINORITIES IN YUGOSLAVIA.

The Council, at the request of the representatives of Spain, France and Norway, considered a petition concerning the dissolution by the Yugoslav Government at Celje of the Deutsches Haus Association consisting of members of the German minority.

Negotiations between the Yugoslav Government and the qualified representatives of the German minority resulted, however, in an agreement which was duly noted by the Council.

## V. — EXAMINATION OF PETITIONS BY MINORITIES COMMITTEES.

The procedure in force for minorities petitions was in 1933 regularly applied. Minorities committees met, not only during the sessions of the Council, but in the intervals between them, during the sessions of the Assembly and the meetings of the Conference for the Reduction and Limitation of Armaments. Whenever the examination of a petition was closed without the members of the respective Committees asking that it should be placed on the Council agenda, the other Members of the Council were informed by letter of the results of the examination. In a certain number of cases, with the assent of the Government concerned, the result was published in conformity with the resolution of the Council on June 30th, 1929, by the insertion of the letters in the *Official Journal* of the League.

Under the same resolution, the *Official Journal* has also published statistics relating to the number of petitions received by the Secretariat of the League of Nations during the year 1932-33, the number of petitions declared receivable, the number of Committees dealing with petitions, the number of meetings held by the Committees for the examination of petitions, the number of petitions whose examination was declared to be closed by the Committees, etc.

## VI. — SETTLEMENT OF THE ASSYRIANS IN IRAQ.

The Catholic Patriarch of the Assyrians, Eshai Marshimun, on July 31st, 1933, appealed to the League of Nations on behalf of the Assyrians of Iraq, alleging that the Assyrian minority in Iraq had been subjected to treatment which was contrary to the obligations assumed by the Government of Iraq at the moment of the entry of Iraq into the League. He stated that Assyrians had been compelled to cross the Syrian frontier and that he himself was under Government detention in Bagdad.

The Government of Iraq, on August 6th, asked the Secretary-General to communicate to the Members of the Council and States Members of the League a protest against the attitude and conduct of the Assyrian Patriarch. The Government of Iraq stated that a thousand Assyrians

had crossed into Syrian mandated territory without its permission. These men had subsequently returned to Iraq and attacked Government troops. The Government of Iraq sent a further communication two days later affirming that the armed rebellion provoked by the supporters of the Patriarch had been suppressed and that the casualties on both sides had been confined to the rebels themselves and to the Government forces.

The Assyrian Patriarch, on August 17th, declared that Assyrian women and children had been massacred by Kurdish tribes armed by the Government of Iraq, and called for immediate action by the League. On August 31st, a Minority Committee of the Council asked that the question should be placed on the Council's agenda.

The situation of the Assyrian minority in Iraq was, in due course, considered by the Council on October 14th, 1933. The question was discussed in the light of further communications received from the Assyrian Patriarch, and of written and oral statements submitted by the representative of the Government of Iraq.

The representative of Iraq allowed that excesses had been committed, adding, however, that his Government would take all possible steps to prevent their recurrence and was doing its utmost to compensate the victims of the rebellion and to make provision for the families which had been left without support. He expressed the view that the situation was no longer susceptible of a local remedy and that the Assyrians could not live in peace with their neighbours after what had occurred. His Government was therefore prepared to accept a solution which consisted in finding outside Iraq a new home for the Assyrian emigrants who desired to leave the country, and it was prepared to contribute generously to the expenses of such a scheme.

The Council did not feel that it was in a position to form an accurate idea of the confused and complicated events which had occurred in Iraq. It was clear, however, that a section of the Assyrian population of Iraq did not regard itself as permanently and finally incorporated in the State of Iraq, and preferred to leave the country if it were given the necessary facilities and guarantees. The Council, accordingly, constituted a Committee of six

members with instructions to consider whether the establishment of the Assyrians outside Iraq was possible and, if this was so, to take, in co-operation with the Government of Iraq, all such steps as it might think fit with a view to the preparation and execution of a detailed scheme of settlement. It was understood that the Government of Iraq would keep this Committee regularly informed of the measures taken to ensure the security of the Assyrians of Iraq, to assist the families left destitute and to rebuild the villages which had been wholly or partially destroyed.

The Committee appointed by the Council consisted of the representatives of the United Kingdom, Denmark, France, Italy, Mexico and Spain.

The Committee met for the first time on October 27th and held periodical meetings during November and December. It had been asked to ensure, in the first place, that the scheme of settlement should apply only to persons expressing a desire to leave Iraq and, in order that the voluntary character of the contemplated migrations might be ensured, it got into touch with the Government of Iraq with a view to appointing a local body consisting of officials of the Government of Iraq and the heads of the Assyrian villages concerned. It was understood that this local body would explain to the Assyrians the exact meaning of the decision of the Council and further assure them that a Committee of the Council was actively considering plans with a view to the application of that decision. Further, it would be the duty of the local body to ascertain what persons desired to leave the country and to take all necessary steps with a view to their departure, such as the liquidation of their property, the participation of those who wished to migrate in the costs of transport and settlement, and the transport of the emigrants from their homes to the harbour selected.

The most difficult task of the Committee of the Council consisted in finding land for the settlement of the Assyrians and, in order to fulfil this task, the Committee at once approached the Governments of countries which appeared to offer possibilities of immigration. These enquiries and negotiations were still in progress at the end of the year.

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## CHAPTER XI

### MANDATES

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#### I. Examination of Annual Reports. — II. General Questions. — III. Petitions.

The Mandates Commission reviewed during its two sessions the administration during 1932 of the Mandatory Powers of the territories placed under their authority. The Council considered the report of the Commission on the work of its twenty-third session in September, and the report of the work of its twenty-fourth session in January 1934.

#### I. — EXAMINATION OF ANNUAL REPORTS.

##### 1. *Palestine.*

The Commission considered the report of the administration in 1932 of Palestine and Trans-Jordan.

It drew special attention to the construction of Haifa Harbour undertaken by a Department of the Palestine Administration and asked for detailed information on this subject. Noting, also, that owing to certain difficulties "Imperial Preference" was not being applied to Palestine, it expressed a wish that the Mandatory Power should give exact particulars of the nature of these difficulties and of the progress made in carrying out the land-development scheme.

##### 2. *Syria and the Lebanon.*

The information at the disposal of the Mandates Commission in 1932 as to the evolution of Syria and the Lebanon towards independence was not considered to be adequate, and the Commission felt that it would be premature to

express an opinion on the subject, preferring to wait until the negotiations then in progress between the Mandatory Power and the native authorities had provided it with more definite evidence. It therefore asked the French Government to keep it informed of the progress of events.

The required information was communicated by the accredited representative of the Mandatory Power in October last, but the negotiations were not at that time concluded, and the Commission confined itself to noting the facts. It accordingly considered only the administration, properly speaking, of the territory.

The Commission deplored certain acts of corruption and of traffic in influence which had occurred in the Lebanon and expressed the hope that every effort would be made by the Mandatory Power to prevent their recurrence. It also regretted to note that the application of Syrian legislation prescribing equality before the law was still sometimes impeded by the absence of a spirit of tolerance on the part of the native authorities.

The Commission, in examining certain petitions relating to the political organisation of Syria and the Lebanon, after hearing the accredited representative of the Mandatory Power, expressed the view that the desires of the petitioners for the establishment in Syria of a unitary State — *i. e.*, of a State in which no part enjoyed local autonomy — as well as their wish that full independence should be granted to any part of the mandated territory which was not Syria or the Lebanon, were contrary to the fundamental character of the mandate.

Finally, the Commission studied the system in force in regard to succession rights in Syria in the course of considering a petition. This question gave rise to declarations at a meeting of the Council on September 28th, 1933.

### 3. *Iraq.*

The Mandates Commission, during its session in October 1933, noted the report on the administration of Iraq during the period from January 1st to October 3rd, 1932, the date on which the mandatory system in that territory came to an end and Iraq was admitted to the League.

The Commission refrained from submitting to the Council any detailed observations upon the administration of the country during the last nine months of the mandatory period and merely called the attention of the Council to the fact that the community of the Bahais, with whose grievances it had dealt on various occasions, had not yet received redress for the denial of justice of which it had been the victim.

#### 4. *Tanganyika.*

The Mandates Commission considered more particularly two questions : one arising from a Customs agreement existing between Tanganyika and the neighbouring British possessions and to an amalgamation of the postal services of these various territories, and the other to a scheme for closer administrative union between the mandated territory and Kenya and Uganda.

##### (a) *Customs Agreement.*

The Mandatory Power had taken certain steps to remedy the drawbacks which might arise from the conclusion of a Customs agreement between Tanganyika and the neighbouring British possessions, and the Mandates Commission asked to be informed of any developments in the Customs policy of the British Government.

##### (b) *Amalgamation of the Postal Services.*

With reference to the amalgamation of the postal services of Tanganyika with those of Kenya and Uganda, the Commission drew the attention of the Council to differences of opinion which had arisen among members of the Commission regarding the compatibility of this measure with the terms of the mandate and the protection of the interests of the territory. It suggested that the Mandatory Power should be requested to communicate the documents concerning the amalgamation, so that the Commission might be able to judge from year to year of the practical effects of the new administrative provisions upon the efficiency of the postal services and upon the finances and autonomy of the territory.

Finally, it proposed to follow the direct and indirect results of the amalgamation, both in respect of its administrative efficiency, the cost of the unified service and the autonomy of the mandated territory.

(c) *Closer Union.*

The Mandates Commission, which had been following this question for several years, noted that the Government of the United Kingdom had endorsed the opinion expressed by the Select Committee of both Houses of the United Kingdom Parliament. The Select Committee had expressed the view that the time was not yet ripe for the introduction of closer political or constitutional union between Tanganyika and the British possessions of Kenya and Uganda. It contemplated, however, a more frequent use of the "Conference of Governors" of the different territories of East Africa for the purpose of ensuring constant and effective co-operation and co-ordination on all questions of common interest.

The Commission noted that the United Kingdom Government had no intention of putting into operation the scheme of closer union. In the view of the Commission, such a scheme would involve the creation of a political and constitutional union which would have the effect of disturbing or endangering the future existence of the mandated territory as a distinct entity in international law. The Commission expressed the view that such a political or constitutional union could not be carried out as long as the existing mandate remained in force.

The majority of the Commission was of opinion that, due regard being had to the provisions of Article 10 of the Mandate, any measures tending, during the existence of the present mandate, towards the *de facto* establishment of a closer union should be avoided.

Four members of the Commission did not find it possible to accept this declaration. The minority felt that the text as adopted appeared to throw doubt upon the exercise of the rights given to the Mandatory Power under Article 10, and seemed to imply that the Mandatory Power might be tempted to enforce by circuitous methods

a decision which it had formally promised not to put into effect without previous reference to the Mandates Commission — namely, a political and constitutional union between the territory under mandate and its neighbours.

The Mandates Commission noted that the “Conference of Governors” of the three territories concerned was a permanent advisory organ for co-operation and the co-ordination of the common interests of the territories with its secretariat in the capital of Kenya. The majority of the Commission expressed the view that such a body should not assume executive responsibilities, which would unduly restrict the necessary autonomy of the Mandatory Power. The minority did not endorse this declaration. In their view, the “Conference of Governors”, which was purely advisory, afforded a valuable and necessary means of consultation between the Governors in the interests of their respective territories. Since full liberty of action was reserved to each Governor and to his Legislative and Executive Councils, the minority could not conceive how a conference thus constituted could possibly exercise executive powers or endanger the political unity of the mandated territory.

The Commission asked the Mandatory Power to continue to keep it informed concerning the Customs system and to supplement the information at its disposal regarding transport, postal and telegraphic services or any other co-ordinated services.

The representative of the United Kingdom on the Council declared that his Government would never take any action which might be contrary to the letter or the spirit of the mandate. The Council drew the attention of the Mandatory Power to the views expressed by the Commission.

##### 5. *New Guinea.*

The Commission noted the creation of a Legislative and an Executive Council in the territory, and asked for information on the operation and duties of these councils and on any measures which might be adopted to safeguard the interests of the natives in these bodies.

### 6. *Western Samoa.*

The Mandatory Power emphasised in its report that, during the year which ended on March 31st, 1933, the volume of trade in the territory of Samoa, in spite of all the disturbances and difficulties which had arisen in the world at large, had decreased by only 7 per cent as compared with a decrease of 35 per cent during the previous period. Revenue had exceeded estimates by about £8,000 and expenditure had remained a little below the estimates. A surplus of £7,754 was shown, although no subsidy had been granted by the New Zealand Government.

Expenditure on public health had increased to £21,819, which represented an increase of about £4,000 as compared with the previous year. The public debt, which on March 31st, 1932, had amounted to £171,200, had been reduced by more than £32,000 during the financial period.

### 7. *South West Africa.*

The financial situation of the territory, largely due to the very heavy debt service, gave rise to certain misgivings on the part of the Commission, which expressed the hope that the Mandatory Power would succeed in restoring equilibrium.

### 8. *Ruanda-Urundi.*

The Commission was gratified to note that the re-organisation undertaken in the territory was ensuring administrative stability. It was concerned at the precarious financial situation of the country and in particular at the burden it would have to bear in the future, owing to the loans which had been contracted. The Commission hoped that the Mandatory Power would find effective means of dealing with the situation. It noted that new conditions of labour were being tried in certain districts and appeared to have been welcomed by the natives of the territory.

With regard to the campaign against sleeping sickness, the Commission was glad to note that measures had been taken which, in the opinion of the Mandatory Power, would not fail to produce the desired results in the near future.

9. *Other Territories.*

With reference to other mandated territories — the Cameroons and Togoland under British mandate, the Cameroons and Togoland under French mandate, the islands under Japanese mandate, Nauru under the mandate of the British Empire (exercised by Australia) — the Commission confined itself, after noting the efforts made by the Mandatory Powers, to asking for supplementary information and detailed explanations regarding certain administrative matters.

On the question of economic equality, the Mandates Commission dealt with two problems. First, it considered an Ordinance of August 22nd, 1932, under which tin coming from the Cameroons under British mandate to be smelted in the United Kingdom or in a British possession was exempted from the export duty otherwise levied on tin ore. The Commission considered whether this regulation was compatible with the provisions of the B Mandates regarding economic equality.<sup>1</sup>

The second case was the question of the application to the Cameroons and Togoland under French mandate of a law promulgated by the Mandatory Power on August 6th, 1933.

Under this law the right to an export bounty was made conditional, in the case of traffic served directly or indirectly by a French line, upon transport under the French flag of colonial products entitled to the bounty.

The Commission considered that this obligation might result in discrimination in favour of the French merchant fleet and thus infringe the clauses of Article 6 of the French mandates on Togoland and the Cameroons. It hoped that it would receive reassurances with regard to the matter.

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<sup>1</sup> The accredited representative of the Mandatory Power stated, in the observations submitted on the report of the Commission, that there were no tin mines in the Cameroons and that the Ordinance defined the policy of the Government in the matter of the Nigerian mines. The representative of the United Kingdom confirmed this declaration and announced that his Government would take the necessary steps to amend the Ordinance.

II. — GENERAL QUESTIONS.

*Influence of the Cinematograph on Native Populations.*

The Commission, following the resolution adopted by the Council on January 26th, 1933, considered that this problem should receive the attention of the Mandatory Powers. It noted that native populations were greatly attracted by cinematograph displays which, if of the right kind and prepared by persons with personal knowledge of the mentalities and aptitudes of such races, might have a very useful educative influence. On the other hand, if unsuitable, they might constitute an international menace. The Commission proposed that the Mandatory Powers should be asked to furnish the information described in the resolution of the Council.

The Council approved this proposal.

III. — PETITIONS.

The Mandates Commission examined numerous petitions relating to the administration of Syria and the Lebanon, the Cameroons and Togoland under French mandate, the islands under Japanese mandate, South West Africa and Tanganyika.

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## CHAPTER XII

# THE FREE CITY OF DANZIG AND THE TERRITORY OF THE SAAR

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I. The Free City of Danzig. — II. Territory of the Saar.

### I. — THE FREE CITY OF DANZIG.

#### I. *Polish-Danzig Relations.*

The year 1933 was marked by an appreciable improvement in the relations between Poland and the Free City of Danzig. There were signs of this improvement towards the beginning of the year, and they became even more evident following the accession to power of the National Socialist Party.

The President and Vice-President of the Senate of the Free City, on July 3rd, a few days after they had come into office, paid an official visit to Warsaw. This visit helped to create a better feeling between the parties.

The parties decided to negotiate on a wide basis for the friendly settlement of outstanding questions. A programme of work was established by common agreement. It included six groups of questions and it was arranged that each group should be dealt with by a Mixed Commission. The questions were as follows :

Treatment of Polish nationals in Danzig and other persons of Polish origin or language;

Use of the port of Danzig by Poland;

Passports delivered abroad to Danzig nationals by the Polish diplomatic or consular authorities;

The drafting of the instruments of ratification for treaties concluded by Poland to which Danzig was a contracting party;

Taxes and dues;  
Questions relating to the Harbour Board.

Negotiations conducted under the auspices of the High Commissioner resulted on August 5th in a series of agreements covering, in particular, the use of the port of Danzig by Poland, the treatment of Polish minorities in Danzig and certain diplomatic questions.

The Senate of the Free City, noting the agreements concluded with Poland, affirmed its desire for peace and its respect for treaties, with special reference to the friendly settlement of the numerous disputes existing between the two countries and the establishment of a permanent co-operation between them.

The Polish Government, after signing the agreements on September 18th, paid a return visit to the Senate of the Free City as a sequel to the visit to Warsaw on July 3rd.

The President of the Senate, on December 11th, revisited Warsaw in order to get into touch with the Polish authorities. He was received by Marshal Pilsudski and by the Ministers for Foreign Affairs and Commerce.

## 2. *Internal Policy.*

Dissensions within the Senate and the *Volkstag* resulted in the dissolution of the *Volkstag* and in new elections which took place on May 28th, 1933. One of the characteristic features of the electoral campaign was a decrease in the number of political parties. Although feeling ran high during the campaign, order and security were assured.

The High Commissioner, on May 22nd, handed to the President of the Senate a memorandum drawing the attention of the Government to the provisions of the constitution guaranteeing freedom of the vote. The National Socialist Party, as a result of the elections, obtained thirty-eight out of seventy-two seats. The former Senate, in view of these results, resigned on May 30th. The *Volkstag* met for the first time on June 20th and elected the Government under Article 25 of the Constitution. The Government, which was at first formed with the support of the

Centre party, is at present assured solely by the National-Socialist Party.

The High Commissioner has, on various occasions, felt it necessary to draw the attention of the President of the Senate to certain legislative provisions calculated to infringe the constitution of the Free City. He has, on each occasion, received formal assurances from the competent authorities, either in the form of satisfactory explanations or of amendments to the measures originally promulgated.

### 3. *Harbour Police.*

The Danzig Senate, on February 15th, 1933, denounced, as having no legal basis since May 1927, the agreement whereby Danzig and Poland had put into force — for a period of two years, on the expiration of which each of the two parties was to be free to reconsider its attitude — a decision of the High Commissioner regarding the recruiting of the police which were required by the Harbour Board and placed under its immediate authority.

The Senate, as the result of the denunciation of the agreement, introduced its own police forces into the harbour. The representative of Poland at Danzig, on March 7th, invited the High Commissioner to decide that the step taken by the Senate in respect of the harbour police constituted a case of direct action and must be immediately cancelled. The High Commissioner laid the matter before the Council, together with the question of the Westerplatte.

The Rapporteur, in his report to the Council, declared that, in his opinion, it was to the interest of the two parties that the previous regime should be re-established and maintained, without prejudice to the final decision which would be taken, until the proceedings before the Harbour Board had resulted in a final settlement of the question.

The representatives of Danzig and Poland agreed to his proposal, which was adopted by the Council.

4. *Detachment of Guards for the Polish War Material Depot on the Westerplatte.*

The High Commissioner, in a letter dated March 7th, 1933, submitted to the Council a question concerning the detachment of guards for the Polish War Material Depot on the Westerplatte, in regard to which the Senate had submitted a request asking that the case should be regarded as one of direct action. The Senate, noting that the effectives of the Polish guard on the Westerplatte had been increased, asked the High Commissioner whether this increase had been made with his authorisation, representing that under the Conventions in force such authorisation should have previously been obtained by the Polish authorities. The High Commissioner had replied to the President of the Senate that he had given no such authorisation. He had, at the same time, addressed to the representative of Poland a letter asking for the withdrawal without delay of the effectives in question. The Senate had thereupon asked the High Commissioner to take such steps as might be necessary to establish that the increase of the effectives on the Westerplatte without his authorisation constituted a case of direct action.

The High Commissioner, not having obtained from the Polish Government an assurance that the effectives in question would be withdrawn without delay, as requested in the letter which he had addressed to the diplomatic representative of Poland in Danzig, and referring to the decision of the Council of March 13th, 1925, relating to the procedure to be followed in cases of direct action, asked that the question of direct action should be placed on the Council agenda.

The Council dealt with the question at its meeting on March 14th. The President, M. Ziehm, intimated that the Senate of the Free City was in a position to guarantee that adequate measures had been taken to prevent any infringement upon the rights of Poland on the Westerplatte peninsula. M. Beck, Minister for Foreign Affairs of Poland, thereupon declared that his Government had decided to reduce the detachment of guards on the Westerplatte immediately to its normal strength.

This declaration made it unnecessary for the Council to go further into the question.

The High Commissioner, on March 16th, 1933, informed the Council that the Polish effectives had been withdrawn from the Westerplatte.

#### *5. Appointment of the High Commissioner.*

The Council, on October 26th, unanimously appointed Mr. Sean Lester as High Commissioner of the League of Nations at Danzig for a period of three years, as from January 15th, 1934.

M. Rosting, who had been acting as High Commissioner for a year, was authorised by the Secretary-General to continue in the performance of his duties until that date.

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Mr. Sean Lester, born in 1889, joined the Sinn Fein Party in 1909. He participated as a journalist in all the political campaigns which took place in Ireland up to the constitution of the Irish Free State in 1922.

In 1922, he was attached to the Minister for Foreign Affairs of Ireland, and became, in 1929, permanent delegate of the Irish Free State accredited to the League of Nations.

In that capacity, he represented his country in the Assembly and afterwards on the Council. He was Chairman of the Committee of the Council which was instructed to follow the dispute between Bolivia and Paraguay, and of the Advisory Committee which dealt with the dispute between Colombia and Peru. He also acted as Rapporteur to the Council on minorities questions.

## II. — TERRITORY OF THE SAAR.

### *1. Appointment of the Governing Commission.*

The Council, on January 24th, 1933, appointed the five members and Chairman of the Governing Commission for a period of one year, as from April 1st, 1933. The

Council nominated : Mr. Knox (British), *Chairman* ; M. d'Ehrnrooth (Finnish); M. Kossmann (Saar Territory); M. Morize (French); M. Zoricic (Yugoslav).

The Council decided that the provisions concerning the salaries of the members of the Commission and the entertainment allowance of the Chairman should remain in force as fixed by the Council in its resolution of January 30th, 1932.<sup>1</sup>

## 2. *Situation of the Saar Officials after the Plebiscite.*

The Chairman of the Governing Commission of the Saar Territory informed the Council on May 4th that circumstances over which he had no control had given rise to some misgivings among the Saar officials. These misgivings had arisen owing to the German law relating to officials of April 7th, 1933. The Governing Commission had at its disposal, in addition to the staff which it had itself recruited, 6,000 officials placed at its disposal by the *Reich*, the Railway Company of the *Reich*, Prussia and Bavaria. In 1925, the Governing Commission and the German Government had concluded an agreement defining the rights and duties of the Commission towards these officials. The Commission, however, was of opinion that the publication of articles in the Press threatening the German officials with future reprisals had given rise to anxiety on their part in respect of the future and that there was a risk of the officials being discouraged in the loyal discharge of their duty towards the Commission.

The Commission accordingly considered that, owing to these circumstances and the approach of the date on which the plebiscite, contemplated in the Treaty of Versailles, was to take place, it was desirable that the officials of the Territory of the Saar should, without distinction of origin or nationality, receive guarantees that the rights which they held at present and in respect of the future under their appointments would, in any case, be fully safeguarded.

The Council, on May 27th, 1933, on a report of the representative of Italy, adopted a resolution in which, in view

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<sup>1</sup> See *The League from Year to Year, 1931-32* page 214.

of the obligations imposed upon it by the Treaty of Versailles, it asserted the principle that the rights of the officials of the Territory would in any event be safeguarded, the means of applying this principle being reserved for a later decision.

### 3. *General Situation.*

The Governing Commission, in its quarterly reports, drew the attention of the Council to developments in the political situation which had become increasingly serious in the course of the year. Constant pressure, aggravated even by threats, was brought to bear on public opinion in the Saar, not only in political but in religious matters. The Commission, after describing the attitude adopted by the National-Socialist Party, intimated that it had been obliged to take certain measures to remedy this situation. Several newspapers appearing within or beyond the limits of the Territory had been prohibited for a period of some weeks. The authorities, moreover, had been authorised to prohibit or dissolve political meetings and processions. The wearing of badges and uniforms by members of political associations had also been prohibited and in the case of armed assault resort might be had to administrative arrest.

The Commission, moreover, had strengthened its right of control over the Saar associations and had dissolved various National-Socialist "cells". The Commission, noting that the resolution adopted by the Council on May 27th had not sufficed to reassure all the officials of the Territory and that regrettable events had in fact occurred, declared at the end of the year that it felt bound to contemplate exceptional measures. The Commission, in making this declaration, insisted that it was its duty to protect all the inhabitants of the Territory without distinction of origin, opinion, faith or nationality, and not to forget that the plebiscite must take place under conditions which ensured the full independence of those who participated.<sup>1</sup>

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<sup>1</sup> This declaration, given by the Governing Commission in its last report drafted in 1933, was adopted by the Commission against the vote of the Saar member of the Commission.

4. *Economic and Social Situation.*

There was an improvement during the year in the economic and social situation in the Territory of the Saar.

The number of unemployed, which in January 1933 had amounted to 45,700, decreased in September to 35,302, as compared with more than 40,000 at the same date in 1932. The deficit on the railways was only 30 million francs, as compared with a previous estimate of 35 millions.

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## CHAPTER XIII

### SOCIAL AND HUMANITARIAN WORK

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- I. Traffic in Opium and Other Dangerous Drugs. — II. Protection and Welfare of Children and Young People. — III. International Relief Union. — IV. Treatment of Prisoners. — V. Assistance to Indigent Foreigners and Execution of Maintenance Obligations abroad. — VI. Refugees. — VII. Slavery.

#### I. — TRAFFIC IN OPIUM AND OTHER DANGEROUS DRUGS.

Considerable progress was achieved in 1933 in the campaign against the illicit use of opium and other narcotic drugs. Evidence received and considered by the competent bodies of the League showed that in Western Europe, as a result of the strict control being exercised, the old sources for the supply of the illicit traffic were drying up and that the amounts of drugs reported as manufactured by authorised factories had begun to correspond closely to medical needs. New sources of supply, however, were becoming available in other parts of the world and new problems came up for consideration, special attention being given to the serious dangers involved by the establishment of clandestine narcotic drug factories in the Far East and in other countries where ample supplies of raw opium are available for the manufacture of drugs.

##### *1. Entry into Force of the Limitation Convention of 1931.*

The outstanding event of the year was the coming into force on July 9th of the Convention for limiting the Manufacture and regulating the Distribution of Narcotic Drugs, signed at Geneva on July 13th, 1931. The entry into force of this Convention shows the importance attached by Governments to the problem, and their firm desire

to co-operate with the League in the suppression of the illicit traffic. The problem of narcotic drugs has now been successfully transferred from the national to the international field, and a system of world economy applied to the production, manufacture and consumption of an important and necessary group of commodities. The Hague Convention of 1912 established a purely national control over the manufacture and internal trade in narcotics. The Geneva Convention of 1925 extended this control to the international traffic which, under that Convention, was submitted to a system of import and export certificates. The Convention of 1931 has completed this system of control by strictly limiting the manufacture of narcotic drugs to the estimated legitimate requirements of the world for medical and scientific purposes.

The number of ratifications (twenty-five) necessary for the entry into force of the Limitation Convention was reached on April 10th, 1933, and the Convention, when it came into force on July 9th, had received forty ratifications and accessions. Forty-four ratifications and accessions have now been obtained.

The Convention of 1931 provides for an effective system whereby the quantity of drugs to be manufactured and distributed is limited to estimates of medical requirements supplied in advance by the various Governments. It further stipulates that the manufacture of drugs and their distribution from factory to consumer shall be controlled under a national system complying with the principles of the Geneva Convention of 1925 and under an international system to be operated from Geneva.

The first part of the Convention, which came immediately into operation on July 9th, covers the system of estimates. This system is already in universal application. If any State, whether a party to the Convention or not, fails to supply estimates of its requirements by August 1st of each year, such estimates are established by a special body known as the Supervisory Body created by the new Convention, which meets at Geneva. It is the duty of the Supervisory Body to examine all estimates received, and it may request the countries concerned to supply additional information or particulars, either for the purpose of supplementing their estimates or explaining them.

Estimates passed by the Supervisory Body are incorporated in a statement which is circulated to all countries and which now forms the basis of the whole system of national and international control provided by the Convention. This statement determines the total quantity of drugs that may be manufactured throughout the world and the total limits within which the national and international trade in drugs may take place. No country may manufacture drugs in excess of the quantity required for its legitimate needs; nor may any country import quantities in excess of its total estimates. The import and export of drugs can, in fact, take place only within the limits set by the estimates, each transaction being governed by the system of national import certificates and export authorisations incorporated in the Geneva Convention of 1925 and the Limitation Convention itself. The provisions of the Convention, under which the manufacture and distribution of drugs is regulated and controlled, came into force on January 1st, 1934, the first year for which estimates were furnished.

An effective check on this system of control is afforded by the reports of the Permanent Central Opium Board set up under the Geneva Convention of 1925, which receives and examines quarterly import and export statistics and annual statistics of manufacture, consumption, stocks and seizures. It is the duty of the Permanent Central Opium Board, on the basis of these statistics, to watch the course of the international trade in drugs and to submit an annual report embodying the results of its periodical examinations to the Council.

The Supervisory Body is composed of four members. A member nominated by the Advisory Committee on Opium and Other Dangerous Drugs, Sir Malcolm Delevingne (British); a member nominated by the Permanent Central Opium Board, Mr. Herbert L. May (American); a member nominated by the Health Committee, Professor M. Tiffeneau (French); and a member nominated by the Office international d'Hygiène publique in Paris, Dr. H. Carrière (Swiss).

The Supervisory Body met at Geneva for the first time on August 28th, 1933, under the chairmanship of Sir Malcolm Delevingne. During its first session, it examined

the estimates furnished by some thirty Governments. The Supervisory Body, at a second session held in October, completed its examination of the estimates submitted, noted explanations and supplementary information received by request from certain Governments and established estimates for the countries and territories in respect of which estimates had not been supplied. The results of this work were embodied in a statement which, in accordance with the stipulations of the Convention, was communicated to all the Governments on November 1st. It was also distributed for information to the Advisory Committee on Traffic in Opium and Other Dangerous Drugs during its autumn session.

This first annual statement of the Supervisory Body may be regarded as a culmination of the work of the League for the last ten years in the campaign against the traffic in narcotic drugs, and the Advisory Committee was glad to note that, in spite of the difficulties attending the preparation of their estimates by Governments and their examination by the Supervisory Body in the first year of the application of the new system of limitation, it had been possible to complete the work and issue the statement by the date fixed under the Convention. The statement shows the maximum drug requirements of the world for medical and scientific purposes and established the maximum quantities of narcotic drugs to be manufactured in 1934. Only five of the drugs for which estimates are provided are of real importance: morphine, heroin, codeine, dionine and cocaine. The estimates provide for about forty tons of morphine, one and a half tons of heroin, twenty-six tons of codeine, two and a quarter tons of dionine and five and a half tons of cocaine. The forty tons of morphine, however, include the quantities necessary for the manufacture of heroin, codeine and dionine, which are derivatives of morphine, the amount of morphine required for use as such being only eight and three-quarter tons.

Forty-five countries furnished estimates for consideration by the Supervisory Body, while the Supervisory Body framed estimates for the twenty-three countries and thirty-one territories which failed to do so. The Supervisory Body secured this year from the Governments, as a

result of its observations and requests for explanations, a reduction of the estimates as originally submitted amounting, in the case of morphine, to over three tons.

2. *Preparatory Work for an International Convention for the Suppression of the Illicit Traffic in Opium and Other Dangerous Drugs.*

The Advisory Committee adopted, on May 23rd, 1933, a draft Convention for the Suppression of the Illicit Traffic in Dangerous Drugs.

The Conference for limiting the Manufacture and regulating the Distribution of Dangerous Drugs, held in 1931, recommended that such a Convention should be concluded as soon as possible, and the Council instructed the Advisory Committee to prepare a text.

The draft Convention provides severe penalties for deliberate contraventions of the laws relating to narcotic drugs and stipulates that offenders shall be liable to punishment, even when the various acts constituting the offence have been committed in different countries. Such offenders, under the Convention, become liable to extradition, following a consideration of the charges brought against them by the Government from whom extradition is requested.

The Council, on May 26th, adopted a proposal of the Advisory Committee that the draft Convention should be communicated to Governments for their consideration, and the Assembly, in October, invited the Governments to consider the Convention without delay, pointing out that the international organisation of the illicit traffic required a corresponding degree of international organisation for its prevention and punishment.

3. *Limitation of the Production of Raw Materials.*

The Council, on September 22nd, decided to forward to Governments questionnaires prepared by the Advisory Committee with a view to collecting information to serve as a basis for the work of a Conference on the Limitation of Raw Materials. The questionnaires were framed by the Advisory Committee under a resolution adopted by the

Assembly in 1931, which recommended that a Conference should, as soon as possible, be convened to consider the possibility of limiting and controlling the cultivation of the opium poppy and the cultivation and harvesting of the coca leaf.

The situation in regard to the cultivation of raw materials has changed considerably since the Assembly adopted its resolution in 1931. There has been a marked fall in the demand for raw materials and a considerable drop in prices, partly due to the economic depression and partly to the increasingly strict control over the consumption of narcotics. The Governments of Turkey and Yugoslavia, in view of this situation, recently agreed to organise the sale of their output, while the Turkish Government at the same time decided to set up an opium monopoly and to limit production to lawful trade requirements.

The Advisory Committee accordingly suggested in May that a meeting should be convened of the representatives of Turkey, Yugoslavia and Persia, the three principal opium-producing countries, to consider the possibility of an agreement to limit production, and the Council, on September 22nd, agreed that it might be well if these countries introduced certain preliminary measures pending the preparation of a general conference to deal with the whole question of limitation.

#### *4. Co-operation between China and the Treaty Powers.*

The Advisory Committee, during its May session, discussed the situation in China regarding both manufactured drugs and opium. It was noted that large quantities of morphine and heroin had been smuggled into the country during the last few years, and that clandestine factories had been set up in various parts of China to supply the illicit traffic. The Chinese member of the Committee, emphasising that his Government was anxious to suppress poppy cultivation and the abuse of opium and other narcotic drugs in China, appealed to the Treaty Powers for their co-operation and assistance, declaring at the same time that his Government had decided to conduct an enquiry into the activities of the clandestine factories in China. The Advisory Committee, in response to this appeal, decided to set up a

standing Sub-Committee to consider means of establishing closer co-operation between China and the Powers having treaties with that country.

The Advisory Committee, in November, on the recommendation of its standing Sub-Committee, adopted a series of recommendations. It asked, in particular, that there should be a regular exchange of information between the Chinese authorities and the foreign authorities in the concessions, settlements and leased territories, both in regard to Chinese nationals implicated in cases concerning narcotic drugs handed over by the foreign authorities to the Chinese authorities and in regard to foreign nationals likewise implicated in China but amenable to foreign jurisdiction and reported to the foreign authorities by the Chinese authorities. It further recommended that similar information should be exchanged in mixed cases, in which both Chinese and foreign nationals were implicated.

Moreover, the Committee asked that the Chinese and foreign authorities should furnish precise information as to the laws and regulations concerning the manufacture, import, use and distribution of narcotic drugs applied in the concessions, settlements and leased territories and as to the laws and regulations applicable in China both to Chinese and to foreigners; also that information should be given as to difficulties encountered in enforcing these laws and regulations. The Committee approved a memorandum and questionnaires intended to enable the Chinese and foreign authorities more easily to furnish this information.

It should be noted in this connection that reports are already addressed annually to the League of Nations by the authorities of the international, British and Italian concessions in China, and that the despatch of similar reports has been promised from the French and Japanese concessions.

##### 5. *Position in Manchuria and Jehol ("Manchukuo").*

The Advisory Committee, in considering the serious dangers involved by the establishment of clandestine factories in the Far East, gave special consideration to the

situation which has arisen in Manchuria and Jehol. Opium has for some time been produced and used in these territories to a large extent, and considerable revenues have been derived therefrom by the authorities. Under the new regime in Manchuria, measures have been adopted and promulgated in official bulletins which appear to have created in effect a Government monopoly. The situation is the more dangerous as the League is not at present receiving any reports in regard to the traffic from these territories, or any official information as to the situation.

The Committee, in its report to the Council, emphasised the importance of steps being taken to secure the fullest possible information as to the production, sale and use of opium and drugs in that part of the world. It further drew the attention of the chief manufacturing and producing countries of the world to the necessity of scrutinising most strictly any application for the introduction of narcotic drugs into these territories.

#### 6. *Illicit Traffic.*

The progress made in combating the illicit traffic in opium and other dangerous drugs was reviewed by the Advisory Committee during its spring and autumn sessions. The Committee, in the light of the annual reports of the Governments and information derived from statistics of imports, exports, seizures and stocks, concluded that in Europe the output of the drug factories had been reduced to a figure approximating to the legitimate medical and scientific requirements of the world, due account being taken of the output of the United States of America, the Union of Soviet Socialist Republics and Japan. Action taken by the police had made it possible to discover a large number of the principal traffickers, and organised control had led to a considerable decrease in illicit deliveries of drugs in Europe. Further, progress in co-operation between the different national authorities responsible for drug suppression, more particularly in Canada, Egypt, France, Germany, Japan, the Netherlands, the United Kingdom and the United States, had resulted in a far more effective control of illicit operations.

Against this general progress achieved in Europe had



to be set the opening up of new sources of supply in the Far East.

The Committee further noted a change in the methods adopted by those engaged in the illicit traffic as a result of the measures taken for its suppression. Illicit manufacture was taking place mostly in small clandestine factories, and it appeared from the seizures effected that smugglers were spreading their risks by dividing up the drugs to be smuggled into small lots. New methods, moreover, were continually being used by the traffickers to avoid control. The United States representative, for example, during the autumn session of the Committee, made an important statement on the use that was being made of privately owned aeroplanes for the smuggling of liquor and drugs on the North-American continent.

#### 7. *Situation in the Near East.*

The Government of *Persia* ratified in 1932 the Limitation Convention of 1931. The existing opium export monopoly, in the hands of a concessionaire, was abolished and the Persian Government took other measures to supervise the exports of raw opium. The representative of *Persia* assured the Advisory Committee during its May session that his country, though it was not a party to the Geneva Convention of 1925, would do all in its power to conform to the import-certificate system. He emphasised the difficulties which confronted his Government in its efforts to reduce the cultivation of the poppy in view of the fact that a suppression of poppy cultivation would ruin a large number of the agricultural population. He assured the Committee that *Persia* was prepared to comply with the recommendations of the Commission of Enquiry which visited *Persia* in 1926 and to substitute other crops for the poppy. *Persia*, however, would need the assistance of other countries in carrying out a general plan.

*Turkey* has acceded to the Opium Conventions of 1912, 1925 and 1931, and the Turkish Government has taken active steps to suppress the illicit traffic. More particularly, the three factories established at *Istanbul* have been closed and a number of small clandestine factories also

have been discovered and shut down. The Turkish Government, moreover, is making a serious effort to substitute market garden crops — especially beet — for the poppy, and has set up sugar refineries in the opium-growing centres. The Turkish representative informed the Advisory Committee in May that his Government intended to establish Government factories and a central office for opium exports which would supervise the whole trade in opium from the cultivation of the poppy to the distribution of the drugs for medical requirements. The Turkish Government has also set up special courts to deal with cases of smuggling.

The Council, in September, expressed its satisfaction at the accession of Turkey to the Opium Conventions and at the measures taken by its Government to deal effectively with the drug problem in all its aspects.

8. *Bangkok Agreement on the Control of Opium-smoking in the Far East.*

The Advisory Committee has taken steps with a view to putting into force the Agreement concluded at Bangkok on November 27th, 1931, on the control of opium-smoking in the Far East. The Agreement has been ratified by the United Kingdom, France, the Netherlands and Portugal.

The Assembly, in October, drew the attention of the Powers signatory to the Bangkok Agreement to the importance of ratifying it with the least possible delay and invited them to give effect to the recommendations of the Conference.

A form for use as a basis by the Governments in making their annual reports to Geneva under the Agreement has been prepared and sent to Governments.

The Conference of Bangkok, considering that the campaign against opium-smoking would be facilitated by the collection of more complete and authoritative information on certain points, recommended in its Final Act that certain scientific researches should be undertaken upon an agreed plan by the Governments concerned. The Governments have expressed their approval of these proposals and indicated the facilities which would be available in their territories for the purpose of the contemplated researches. The Advisory Committee, with the advice and

concordance of the Health Committee, has come to the conclusion that before a final plan can be drawn up certain preliminary work should be undertaken. Proposals for this preliminary work will be framed in consultation between the representatives of the two Committees and laid before them in 1934.

9. *Composition and Procedure of the Advisory Committee.*

The Committee, during its November session, acting on the request of the Council, submitted recommendations as to its future composition, in view of the fact that the term of office of seven of its members would expire before the end of the year.

The Committee proposed that the seven members representing the consuming countries, added to the Committee in 1930, should be retained. It further recommended that four new members should be added to the Committee, representing Turkey, Persia, Canada and one of the four Scandinavian countries.

The Committee, in putting forward these recommendations, emphasised that the number of members proposed — namely, twenty-five — should be regarded as an absolute maximum, and that any further increase would be detrimental to its work.

The Committee expressed its regret that the German representative had withdrawn from its meetings. It emphasised that the co-operation of Germany, as one of the most important manufacturing and trading countries, was essential to the success of its work, and expressed the hope that the co-operation would shortly be resumed. It suggested that, meanwhile, the vacancy should remain unfilled.

The Advisory Committee, during 1933, held two sessions at Geneva from May 15th to May 31st and from October 30th to November 9th. It will henceforth hold two sessions each year, one in the spring and one in the autumn, the autumn session being devoted to reports on seizures and such other problems as may have arisen since the ordinary spring session. The Committee has appointed two permanent Sub-Committees. One of them deals with seizures and most of the questions relating to the illicit traffic, and the other was created to consider the

question of co-operation between China and the Powers having treaties with that country in regard to the application of Chapter IV of the Hague Convention of 1912.

10. *The Permanent Central Opium Board.*

The Permanent Central Opium Board, established under the Geneva Convention of 1925, was reconstituted by the Council, in conformity with Article 19 of the Convention, on October 14th, 1933. The Secretary-General, acting under the provisions of the Convention, invited a representative of the Government of the United States to participate in the renewal of the Board.

The following were appointed members : Mr. L. A. Lyall (British), Professor Gallavresi (Italian), Dr. Tiffeneau (French), Dr. Anselmino (German), Sir Atul Chatterjee (Indian), Mr. H. L. May (American), M. Dragan Milicevic (Yugoslav) and M. M. Miyajima (Japanese). With the exception of Dr. Tiffeneau, all these persons were members of the former Board.

The Board nominated Mr. H. L. May as its representative on the Opium Supervisory Body set up under the Limitation Convention of 1931.

The Board, at its quarterly meetings held in January, May, August and October, reviewed the quarterly statistics of imports and exports of drugs received from the Governments under the Opium Convention of 1925; examined the results of enquiries made in certain countries where the consumption of narcotics had seemed somewhat excessive, and considered explanations furnished by Governments in cases where stocks reported by them were not found to correspond with the quantities which, according to its calculations, should have existed in the countries concerned.

The Board, during its May session, decided on the form of the questionnaire to be used by Governments for the purposes of the Limitation Convention in estimating their legitimate requirements in narcotic drugs. After nearly a year's work on the drawing-up of the statistical forms required for the application of the Limitation Convention of 1931, the Board finally approved these forms at its August session. The establishment of more comprehensive

statistics than those supplied under the Convention of 1925 is required by the Convention of 1931, owing to the greater number of drugs falling under its provisions.

The Board devoted the major part of its August session to framing the annual report which it submits every year to the Council in September. Its report contained an analysis of the statistics for 1932, with comparisons and commentaries on the production, manufacture, transformation, consumption, stocks, exports and imports of the substances covered by the Convention of 1925 throughout the world, with the exception of certain countries. The Board noted that the manufacture and transformation of some of the drugs covered by the Convention had continuously decreased during the preceding five years, and that the declared figures for manufacture and the quantities available appeared to be gradually approaching the quantities necessary for the medical and scientific needs of the world. The Board noted, on the other hand, that manufacturers supplying the illicit traffic and formerly operating in Central and Western Europe had been obliged to transfer their activities to other countries as a result of the application of the Convention of 1925 in the countries where they had previously been active.

The Council, reviewing the report of the Board on September 27th, noted with satisfaction that since 1929 the reported manufacture of drugs had declined by 31 per cent for morphine, 29 per cent for heroin and 58 per cent for cocaine. Exports from manufacturing countries in 1932 had shown a decrease of 25 per cent for morphine, 34 per cent for heroin and 56 per cent for cocaine, as compared with 1929. These results were recognised as being due to the application of the Geneva Convention of 1925 by the contracting parties and to the co-operation of other States which, without having adhered to the Convention, had respected its provisions.

## II. — PROTECTION AND WELFARE OF CHILDREN AND YOUNG PEOPLE.

The Advisory Commission for the Protection and Welfare of Children and Young People held its twelfth session at Geneva from March 27th to April 18th, 1933.

The Commission, after examining the report of the Commission of Enquiry on the Traffic in Women and Children in the East and discussing its re-organisation, divided into its two constituent Committees, dealing respectively with Child Welfare and Traffic in Women and Children. The Council approved the report and recommendations of the Advisory Commission on May 22nd, and the Assembly, in October, expressed its appreciation of the work of the Commission.

The Assembly considered that the means at present afforded the Advisory Commission were not commensurate with its needs and did not enable it to deal adequately with its work. It made no definite proposals, but urged that the budget of the Social Section of the Secretariat should be increased as soon as possible. These observations applied in particular to the work on child welfare, and the Assembly requested the Child Welfare Committee to submit to it at its next session a plan of work which would enable it to continue the task for which it was originally constituted.

#### *1. Re-organisation of the Commission.*

The Advisory Commission, during its April session, proposed that, in order that it might include a larger number of non-European representatives, its membership should be increased from twelve to fifteen. It considered that the two committees for Child Welfare and Traffic in Women should be maintained, but suggested that certain modifications should be made from time to time in their composition. It proposed, with this object in view, that the term of office of the members of the Commission should be fixed at five years.

These proposals were duly approved by the Council and by the Assembly.

The Council, on October 12th, decided to invite Chile, India and Turkey each to appoint a delegate to represent them on the Commission for a period of five years.

2. *Traffic in Women and Children.*

(a) *Commission of Enquiry into the Traffic in Women and Children in the East.*

The report of the Commission of Enquiry into the Traffic in Women and Children in the East came before the Council in February 1933.

The Commission of Enquiry reviewed the economic and social conditions of the countries visited and submitted suggestions for dealing with the traffic. It insisted on the need for international co-operation and proposed that central authorities should be established in the several countries to collect information relating to the traffic and to organise an exchange of information between them.

It affirmed that licensed houses were the surest market for the traffic and that their suppression would enable the evil to be attacked at the root. It further recommended that a larger number of women officials should be appointed; that a more constructive policy should be adopted in respect of the immigration of minors; that there should be a closer co-operation between Chinese officials and the authorities in the various foreign concessions in China; and that there should be co-operation with missions and private organisations.

The Council invited the Advisory Commission for the Protection and Welfare of Children and Young People to study the report and to indicate what practical steps should be taken to give effect to its recommendations.

The Advisory Commission endorsed the view that one of the best ways of checking the development of the traffic would be to encourage the abolition of the system of regulation, and it asked the Secretariat to prepare for its next session a report on the more recent modifications made in the system of licensed houses and the results achieved in countries where they had been suppressed.

(b) *Convention on the Suppression of the Traffic in Women of Full Age.*

The Assembly, in October 1932, expressed the view that the traffic in women was always and in all circumstances

a profoundly immoral and anti-social act which should be punished, even if the victim had passed the age of consent. The Traffic in Women and Children Committee, at its April session, endeavoured to frame a text amending in this sense the Conventions of 1910 and 1921 by suppressing the age-limit fixed at twenty-one years, and it adopted, on the proposal of the French delegation, the following clause :

Any person who, in order to gratify the passions of another, has procured, induced or led away a woman or girl over age, even with her own consent, for immoral purposes in a foreign country, shall also be punished.

This text did not, in the opinion of certain members of the Commission, go sufficiently far, since it applied only to the international traffic. The Committee, however, recognised that it constituted a step in advance and left the door open for further progress.

The Council, in May, instructed the Secretary-General to forward the text to the Governments and to invite them to discuss and sign a diplomatic instrument at a special conference during the forthcoming session of the Assembly, it being understood that the Assembly would take a final decision in the matter, after having considered the observations of the Governments.

The Assembly, on October 7th, 1933, adopted a resolution under which a diplomatic conference was convened to establish the final text of a Convention for the repression of the traffic in women of full age. The Conference met at Geneva from October 9th to 11th, and the Governments of the following countries were represented : The Union of South Africa, Australia, Austria, Belgium, The United Kingdom, China, Czechoslovakia, the Free City of Danzig, Estonia, Finland, France, Germany, Greece, Hungary, Irish Free State, Italy, Japan, Lithuania, the Netherlands, Norway, Poland, Portugal, Spain, Sweden, Switzerland and Yugoslavia. The Government of Denmark was represented by an observer.

The Conference unanimously adopted the text of a Convention corresponding to the French proposal previously adopted by the Advisory Committee.

The Convention was signed on October 11th by the



Governments of Austria, Belgium, the United Kingdom, Czechoslovakia, Free City of Danzig, France, Germany, Greece, Lithuania, the Netherlands, Poland, Portugal, Spain and Sweden. The following States have also signed the Convention : the Union of South Africa, Australia, Albania, China, Monaco, Norway, Panama, Switzerland and Yugoslavia.

The Council, on October 14th, instructed the Secretary-General to forward a certified copy of the Convention to the Governments of the following States, non-members of the League : Afghanistan, Saudite Arabia, Brazil, Costa Rica, Ecuador, Egypt, Iceland, Liechtenstein, San Marino, Monaco, Sudan, the United States of America and the Union of Soviet Socialist Republics.

The Convention will remain open for signature until April 1st, 1934, by all the Governments represented at the Conference or to which the Convention has been communicated.

(c) *Penalties to be inflicted on Souteneurs.* .

The Traffic in Women and Children Committee considered during its April session the question of penalties to be inflicted on souteneurs. Various difficulties arose, and it was noted more particularly that all national legislations were not in agreement as to the definition of the offence. The Committee was accordingly unable to come to any final conclusions, but decided to continue the study of the question. It proposed, however, that the penalties to be inflicted should be more severe, and the Council during its May session decided to remind Governments that they had already been invited to enact special penal legislation applicable to souteneurs.

(d) *Annual Reports of the Governments and of International Organisations.*

The Committee, at its April session, examined the annual reports of Governments and of international organisations represented on the Committee. In this connection, the Committee considered questions relating to immigration, the influence of unemployment on prostitution, the

use of women police, and the moral effect of certain kinds of fiction and cinema films.

(e) *Ratification of Conventions.*

The Council, during its May session, again invited the Governments which had not yet done so to ratify the Agreement of 1904 and the Conventions of 1910 and 1921 on behalf of their own countries and of their colonies, protectorates and mandated territories. It also invited Governments to set up, where they did not exist, the central authorities provided for by the Agreement of 1904.

The Traffic in Women and Children Committee, in April, noted the ratification by Persia, Egypt, Sudan and Mexico of the Convention of 1921 and the constitution by the Turkish Government of a special commission to consider such changes as might be necessary in Turkish legislation to bring it into harmony with the League Conventions.

The Assembly, in October, noted the ratification of the 1921 Convention by two new States — Brazil and Persia.

3. *Child Welfare.*

(a) *Effects of the Crisis and of Unemployment on Young People.*

The Child Welfare Committee, at its April session, considered the effects of the crisis and of unemployment on children and young people. It emphasised that children of unemployed parents not only suffered from the hardships and privations occasioned by poverty, but at the same time were victims of a moral depression resulting from a decrease in the authority of the parents and an increase in the instability of the home. It expressed the view, moreover, that the moral effects of unemployment were much more serious for young people who had completed their education during the most acute period of the crisis than for the adult workers. It considered that action was necessary, and appealed to the voluntary associations to forward to the Secretariat the results of their enquiries, indicating any special remedies which might be devised to meet the situation. It further asked the

International Labour Office to keep it informed of any efforts made in this field and asked the Secretariat to prepare a summary of the information supplied and the suggestions received.

The Assembly asked the Child Welfare Committee to study, with the assistance of the International Labour Office, the experiments made by certain countries with a view to protecting children and young people from the consequences of the economic depression and unemployment.

(b) *Films for the Education and Amusement of Children.*

The Child Welfare Committee expressed the view that there was at present a dearth, not only of educational films, but also of films for the amusement of children. It instructed the Secretariat to study and report upon the question at its next session, hoping, as a result of the information obtained, to secure the assistance of the International Educational Cinematographic Institute with a view to encouraging the production of films for children.

(c) *Illegitimate Children.*

The Committee noted that certain countries had endeavoured to attenuate the disadvantages arising from illegitimacy by establishing an abridged form of birth certificates or other official documents in order that the illegitimate origin of the children concerned might not become a matter of public knowledge. It requested the Council to ask the Governments Members of the League to consider the possibility of authorising the issue of such abridged certificates, to be regarded as adequate in all cases where information concerning parentage was unnecessary.

The Council instructed the Secretary-General to consider the adoption and application of these proposals.

(d) *Blind Children.*

The Committee, summarising the observations made during the discussions, drew attention to the necessity of providing for the protection of blind infants and children

of pre-school age in nursery homes or nursery schools. It expressed the view that the placing of blind children in homes or schools should be facilitated by means of financial support from public funds and that assistance and guidance should be given to parents who kept their blind young children at home. Stress was also laid on the necessity of caring for the physical development of blind children, their vocational guidance, the necessity of creating a social service in connection with the blind, and of facilitating the international exchange of Braille literature and music. The Committee decided to make an enquiry, in order to establish the best procedure for discovering the existence of blind children at the earliest possible age.

The Council decided to instruct the Secretary-General to transmit the recommendations of the Committee to the various Governments, and to invite them to furnish information as to the best ways of discovering the existence of blind children.

### III. — INTERNATIONAL RELIEF UNION.

The International Relief Union, established upon the initiative of Senator Ciralo for the purpose of affording assistance to nations overtaken by disasters, came into effective existence at the beginning of the year, and the Council, on January 26th, fixed the date of the first meeting of the General Council of the Union for July 10th, 1933, at Geneva. The General Council met under the presidency of M. Paul Dinichert, Switzerland. It elected M. Ciralo as Honorary President, and appointed the Executive Committee of the Union, consisting of seven members and seven deputy members. It adopted its rules of procedure and a draft arrangement with the International Red Cross.

The Executive Committee of the Union held its first session in the offices of the International Committee of the Red Cross immediately after the meeting of the General Council. The following are members of the Executive Committee: M. Giovanni Ciralo, Senator, former President of the Italian Red Cross; M. A. Delta, formerly a member of the Committee for the Establishment of Refugees in Greece; M. Paul Draudt, Vice-President of the German

Red Cross; M. Albert François, Senator, Treasurer of the Belgian Red Cross; Marquis de Lillers, President of the French Red Cross; Mr. Algernon Maudslay, Chairman of the Relief Commission of the British Red Cross Society; M. Parra-Perez, Minister of Venezuela in Rome, Member of the League Supervisory Commission.

The composition of the Executive Committee reflects the arrangement under which the International Relief Union will discharge its duties. The Union will largely rely for its technical activities upon the co-operation of the principal national and international relief organisations and particularly of the Red Cross.

#### IV. — TREATMENT OF PRISONERS.

The International Penal and Penitentiary Commission drew up in 1929 a set of standard rules embodying the minimum universal requirements for the humanitarian and rational treatment of prisoners and the social measures which might be taken to enable prisoners to return to normal life.

As the result of decisions taken by the Assembly of the League, the International Penal and Penitentiary Commission has revised these rules in the light of observations received from the Governments, from certain League Organisations and international institutions.

The Assembly, in October 1933, instructed the Secretary-General to forward the revised rules to the Governments of States Members and non-members of the League and to enquire whether, in view of their penal legislation, they were able to approve and apply these rules in practice, either wholly or in part.

#### V. — ASSISTANCE TO INDIGENT FOREIGNERS AND EXECUTION OF MAINTENANCE OBLIGATIONS ABROAD.

The Council, on the proposal of the Child Welfare Committee, appointed in May 1931 a temporary Committee of Experts to study the problem of assistance to indigent

foreigners and the execution of maintenance obligations abroad.

The Committee met from December 4th to December 9th, 1933, and decided, for the moment, to limit its discussions to the single problem of assistance to indigent foreigners. The Committee framed a multilateral draft Convention dealing with the subject.

Owing, however, to the precarious situation of a large number of indigent foreigners and with a desire to afford them immediate relief, the Committee drafted, for communication to the Governments, fourteen recommendations on the principles and procedure to be followed in dealing with this question.

The Committee also adopted a recommendation concerning relief to persons unemployed.

## VI. — REFUGEES.

### (a) *Work of the Nansen International Office for Refugees.*

The Assembly, in October, reviewed the progress of the work of the Nansen International Office for Refugees and expressed its appreciation of the assistance given during the year to thousands of Russian, Armenian, Assyrian, Assyro-Chaldean and Turkish refugees.

Over a million refugees, in consequence of war or internal revolution, no longer enjoy the effective protection of their countries of origin, and the majority of these refugees have not acquired any other nationality. There are still some 934,000 refugees, of whom nearly 150,000 are without employment, scattered over Europe, the Near East and China. Their situation has been rendered still more serious by the withdrawal or reduction of grants previously made by certain Governments for their relief and by the almost total cessation of contributions from private persons and institutions. The Nansen Office has, in spite of these difficulties, established some 4,000 Armenian refugees in Aleppo, Alexandretta and Beirut, bringing the total number of refugees evacuated from the camps and settled in agricultural colonies or urban quarters up to nearly 24,000.

Further, more than 1,140 more or less destitute refugees from Bulgaria, France and Greece have been transferred to Erivan, where the Armenian Government has promised to find accommodation and employment, and 8,500 refugees have been transferred by the Office to the Armenian Republic.

Advances and relief have been accorded by the Office to more than 100,000 refugees.

The Chairman of the Governing Body of the Nansen Office, as the result of a personal visit to Syria, reported to the effect that the work of settlement in that country could not be completed before the end of 1934.

The Governing Body of the Office drew the attention of the Assembly to the fact that, in spite of the resolution adopted by the Assembly in 1932 inviting the Governments not to expel any refugee who had not obtained authorisation to enter a neighbouring country, this unfortunate practice had increased in certain European countries during the past year. The Assembly this year renewed its urgent request to the Governments not to expel refugees before they had obtained formal permission to enter an adjacent country.

The Assembly approved a grant to the Nansen Office of 300,000 Swiss francs to cover its work during 1934 under the general scheme of liquidation adopted by the Assembly in 1930.

M. Max Huber, Chairman of the Governing Body of the Nansen International Office, resigned for reasons of health at the beginning of the year, and the Assembly, on February 24th, appointed M. Georges Werner, Vice-Chairman of the International Committee of the Red Cross as his successor.

(b) *International Convention  
on the International Status of Refugees.*

The Council, on May 22nd, acting on reports received from the Intergovernmental Advisory Commission and the Nansen Office, approved the proposal that a draft Convention for the purpose of ensuring the protection of refugees on the liquidation of the Office should be prepared and communicated to the Governments. It

was understood that the Governments concerned would be invited to a small limited Conference for the purpose of adopting a final text of the Convention, to be open for subsequent accessions.

The proposed Intergovernmental Conference met at Geneva on October 26th to 28th. It was attended by representatives from Austria, Belgium, Bulgaria, China, Czechoslovakia, Egypt, Estonia, Finland, France, Greece, Lithuania, Poland, Roumania, Switzerland and Yugoslavia.

The Conference concluded a Convention laying down the conditions under which Nansen certificates might be granted to Russian, Armenian and assimilated refugees, and embodying undertakings by the contracting parties not to expel or refuse admittance to refugees unless such measures were dictated by reasons of national security or public order. Provisions were also included relating to the legal status of the refugees defining the extent to which they might have recourse to the institutions of their country of residence in the matter of access to the courts, right to work, relief, social insurance, labour accidents, small property, provident associations, education and the fiscal system.

The Convention, signed on October 31st by France and Belgium subject to certain reservations, was approved by the Advisory Intergovernmental Commission for Refugees in December.

(c) *Refugees from Germany.*

The Assembly, in October, on the motion of the Netherlands delegation, considered the economic, financial and social problems arising from the fact that a large number of German nationals (Jewish and other) had, during the previous months, taken refuge in certain countries. It concluded that the problem could not be satisfactorily solved except by international measures, and it asked the Council to appoint a High Commissioner to negotiate and direct such international co-operation as might be required. The Council was further requested to invite the States, and if it thought advisable the private organisations, best able to assist the refugees to be represented on the Governing



Body, whose duty it would be to assist the High Commissioner in his task. It was understood that the expenses of the proposed co-operation and of the Office of the High Commissioner would be covered by voluntary contributions from private and other sources. The Assembly, however, authorised an advance to the High Commissioner of a sum not exceeding 25,000 francs, to be repaid to the League from the funds subsequently placed at the disposal of the High Commissioner.

The Council, on October 12th, took the necessary steps for the appointment of a High Commissioner, and instructed the Secretary-General to invite the following States to appoint representatives on the Governing Body: the Argentine, Belgium, Brazil, the United Kingdom, Czechoslovakia, Denmark, France, Italy, the Netherlands, Poland, Spain, Sweden, Switzerland, the United States of America and Uruguay. It was understood that other States might be invited to sit on the Governing Body should the need arise, and that the Governing Body might, if it thought necessary, invite certain private organisations to be represented in an advisory capacity.

The President of the Council, on October 20th, approved the appointment of Mr. James J. McDonald, of New York, Chairman of a Committee of the American Foreign Policy Association, as High Commissioner, and on October 27th invitations were forwarded to the States to appoint their delegates to the Governing Body.

The Governing Body met at Lausanne in December and adopted a programme of work.

## VII. — SLAVERY.

The Assembly, in 1932, adopted a resolution setting up an Advisory Commission on Slavery and defining its competence and duties, and this year it voted the necessary credits to enable the Commission to begin its work in 1934. The appropriation made in the budget for the financial year 1934 was intended to enable the Commission to hold, in the course of that financial year, a single meeting devoted to framing its rules of procedure.

The Assembly asked the Council to set up the Advisory Commission as soon as possible, and the Council, acting on this recommendation, appointed the following members to sit on the Commission : M. Albrecht Gohr (Belgian); Sir George Maxwell (British); Mme. Isabel Oyarzabal de Palencia (Spanish); M. Marchand (French); Commendatore Tullio Zedda (Italian); M. Neytzell de Wilde (Dutch); and M. José d'Almada (Portuguese).

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## CHAPTER XIV

### MISCELLANEOUS

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I. Budget of the League of Nations. — II. Financial Situation. — III. Budgetary Methods. — IV. Contributions in Arrears. — V. Rationalisation of the Services of the Secretariat and the International Labour Office. — VI. Staff Pensions Fund. — VII. Assumption of Office by the New Secretary-General. — VIII. Appointment of Two Deputy Secretaries-General and an Under Secretary-General. — IX. Resignation of Two Under Secretaries-General. — X. The New League Buildings.

#### I. — BUDGET OF THE LEAGUE OF NATIONS.

As was the case last year, the discussions in the Assembly on the Budget of the League were directed towards economies. The budget for 1934 was fixed at 30,827,805 francs, against 33,429,132 for 1933.

The original budget presented to the Assembly amounted to 30,643,905 francs, but as a result of the addition of supplementary credits, particularly to provide for a second session of the Monetary and Economic Conference, the figure was increased to 30,827,805 francs, a sum less by over 2,600,000 francs than that of the previous year.

The expenditure is apportioned as follows :

	Swissfrances
1. Secretariat and Special Organisations . . . . .	15,892,161
2. International Labour Organisation . . . . .	8,257,876
3. Permanent Court of International Justice . . . . .	2,538,827
4. Nansen International Refugee Office . . . . .	300,000
5. Buildings at Geneva . . . . .	2,000,000
6. Pensions . . . . .	1,838,941
Total . . . . .	30,827,805

#### II. — FINANCIAL SITUATION.

Although only 82 per cent of the budget for 1932, including payments on account of arrears, was actually

received during that year, the financial period closed with a net surplus of 1,275,000 francs.

The reasons for this exceptional surplus, as the Secretary-General explained to the Assembly, were themselves exceptional, the principal reason being the high figure at which the budget had been fixed in view of the impossibility of estimating exactly the duration of the Disarmament Conference.

For the period of 1933, the revenue received up to December 31st amounted to 82.37 per cent of the budget, a figure equal to that for the previous year. As a result of considerable savings effected, the year 1933 closed without a deficit.

### III. — BUDGETARY METHODS.

While the budget for 1934 showed a reduction of more than 2,600,000 francs as compared with the estimates for 1933, the estimate for 1934 was more than three million francs higher than the sum actually expended in 1932. This considerable margin and the surpluses secured in 1932 and in previous periods on almost every item of the budget gave rise to some criticism. Certain delegations expressed the opinion that there had been over-budgeting and that the estimates should correspond more closely to actual expenditure. Other delegations were of opinion that the budgetary estimates should have a certain amount of elasticity and that a special fund should be created to cover any unforeseen expenditure.

### IV. — CONTRIBUTIONS IN ARREARS.

The Assembly gave particular attention to the situation created by delays on the part of certain States in the payment of their contributions.

Contrary to the procedure of previous Assemblies, the discussions on this question took place in public. It was generally felt that the present situation should not be allowed to continue, particularly as the partial or

complete default of certain States indirectly added to the burden of others.

In the years 1920 to 1928, the proportion of contributions received was 98.99 per cent; for 1929, 96 per cent; for 1930, 95 per cent; for 1931, 90 per cent; and for 1932, 82 per cent. The Secretary-General emphasised that the urgent problem was not the collection of contributions in arrears, which could be effected gradually, but the payment of current contributions.

To ensure a greater regularity in the payment of contributions, the Assembly adopted certain proposals submitted by the Supervisory Commission. In addition to the method hitherto in force (payment in cash), the Secretary-General was authorised, when States indicated the date on which they were prepared to pay their contributions and subject to their concurrence, to draw negotiable bills through the central banks or other banks indicated by the States concerned, unless the Governments preferred to send negotiable Treasury bonds.

The Assembly also appealed to States to make every effort to liquidate their arrears, either in whole or in part, and, in any case, to pay their current contributions. It also decided that, unless the situation had improved by the next Assembly, it would be obliged to study measures to enforce the fulfilment by certain States of their financial obligations to the League. During the Assembly, several States promised to take steps to pay their arrears.

#### V. — RATIONALISATION OF THE SERVICES OF THE SECRETARIAT AND THE INTERNATIONAL LABOUR OFFICE.

The rationalisation of the services of the Secretariat and the International Labour Office, approved by the Assembly in 1932, was begun in 1933. Attention was directed mainly to the Information Section and the various central services of the Secretariat.

The Assembly felt it was necessary to reduce the staff of the Information Section, but it did not wish to deprive the Press of effective contact with the Secretariat and considered it essential that the assistance accorded to

journalists should not be hampered by the re-organisation of the Section.

The centralisation of the clerical services was undertaken with a view to increasing their efficiency.

Progression in the salary scale of Members of Section was the subject of a long debate in the Assembly. The Fourth Committee, in agreement with the Supervisory Commission, was of opinion that any official should be able to reach the maximum salary of his class by annual increments, but that he should not be entitled to increment unless he had given satisfaction during the past year. The Administration should consider that, in order to give satisfaction, an official must not merely have avoided grounds for criticism, but also have increased his efficiency, with his experience, until he was fit to perform all the duties normally assignable to officials of his class. The strict application of this view would enable the Administration to prevent progression in the scale from becoming automatic.

#### VI. — STAFF PENSIONS FUND.

The Assembly noted the report of the Administrative Board of the Staff Pensions Fund. The report described the difficulties encountered in investing the income of the Fund, amounting to some 200,000 Swiss francs per month.

The recent devaluation of the dollar had led to a depreciation of the Fund's holdings, and on September 19th this depreciation amounted to about 26 per cent. The Chairman of the Board accordingly addressed an appeal to those States whose Government loans were issued in dollars, with or without the so-called "gold" clause, to pay the interest, in so far as the Pensions Fund was concerned, in dollars at former parity. In making this appeal, the Chairman referred to the fact that the Fund was guaranteed by the League of Nations, of which the States in question were Members.

The Fourth Committee unanimously elected M. Fotitch, M. Hoel and M. Rappard as members and Mr. Lester, M. de Modzelewski and M. Parra Perez as substitute members of the Administrative Board of the Staff Pensions Fund for a period of three years.

VII. — ASSUMPTION OF OFFICE  
BY THE NEW SECRETARY-GENERAL.

On June 30th, 1933, Sir Eric Drummond handed over his office to M. Joseph Avenol at a private ceremony, when he also took leave of his colleagues. Sir Eric Drummond said :

Ladies and Gentlemen. — This is my last day as Secretary-General of the League of Nations, and I have asked you to meet me here this afternoon in order that I may formally transfer my high office to M. Avenol, whom the Assembly and the Council have appointed as my successor. I am indeed glad that they have done so, because, after the closest collaboration with M. Avenol for the last ten years, I leave with the certainty that the future of the Secretariat lies in the best and safest hands.

But I wish, in particular, to thank each one of you, in the first place, for the very wonderful present which I have received at your hands. The number of signatures which the book that has been given to me bears has touched me most deeply. Naturally, that book I shall retain as one of my most valued, if not my most valued, possessions.

Equally, I want to thank you for the service which you have rendered the League, and for your loyalty to me personally. It is true that to be Secretary-General of the League means to occupy a high and great international position; but the Secretary-General alone can do very little, indeed nothing. It is on you — each of you — that a great responsibility rests for the maintenance and consolidation of an organisation which is an essential organ of the League, and therefore, as such, carries with it the hopes of many millions of men and women, who see in the League the future salvation of the world.

Each of you has a very important task. There is no distinction between us in spirit, whatever nationality may be ours, whatever division of the Secretariat we may belong to. Each of us can contribute to the good fame of the Secretariat; each of us has it in our power to mar to some extent the smooth working of the machinery.

I know personal questions must sometimes arise. Some of us may feel that perhaps our particular abilities have not been sufficiently recognised or that the Administration in certain cases has been a little hard. But I would ask you to believe that, in every case, I have, and I think we have all, done our

best to act with justice and with what we believed to be fairness.

I hope that, as I leave, you will believe that that has been my rule and, to a certain extent, my pride.

Ladies and gentlemen, I notice that there is, even among us, perhaps, a certain feeling of pessimism as to the future of the League. Before I go, I want to say that I am convinced that that pessimism is neither justified nor well founded. It is true that the political outlook may be a little black to-day, but I feel — and M. de Madariaga once told me that if an Englishman feels, he is probably right; it is only when he begins to reason that he goes wrong — that the League is really in an unassailable international position, that it has come to stay and that we need have no fears on that score. It is, of course, quite natural that the League will have ups and downs. After all, we are only a mirror — a very faithful mirror — of what happens in the world; and, if the world suffers, the League reflects that suffering. But I have no doubt whatever as to its permanence. One of its great elements of strength is the fact that the Secretariat, which is one of its essential organs, has a definite continuity, and the strength of the Secretariat lies greatly, to my mind, in the fact that that continuity rests on the spirit of the Secretariat, which is to serve the League. It does not matter if persons come or go, if Governments fall or change; as long as that spirit continues all will be well with one of the main organs of the League.

M. Avenol, to-morrow you formally become Secretary-General. I know that all here will do their utmost to maintain the traditions and spirit to which I have referred, which so many of your colleagues who have now left have helped to build up and to create in Geneva.

I can only wish you all success in your task, and I know that by that help to which I have referred you will be able to mark progress, and that ultimately, when your term of office comes to an end, you will be able to say that, during the time you have been Secretary-General, the League has made progress. And no Secretary-General can wish for more.

Ladies and gentlemen, I thank you again most sincerely for your present, and, above all, for the fact that you have come here and allowed me to express as far as I can — I hate having to do it, I hate leaving you, after fourteen years! — my profound gratitude for your work and for your help during this very difficult period through which we have gone. I leave an Organisation of which we can all be proud. Thank you very much.



M. Avenol replied as follows :

The powers transmitted to me to-day I am receiving from my chief and from my friend. That is why I wish to give expression to feelings of regret that ten years of friendship are taking on another form from to-day, and also to give expression to the confidence which I have always felt in working with Sir Eric.

But I am not only speaking for myself. My first official act and the only one to-day is to speak on behalf of you all here and in the name of our friends remaining in London, who have specially asked me to be their interpreter. I want to express our feelings of gratitude and respect for the founder of the organisation in which we all of us work. The bringing into being of the Covenant of the League in 1919 was a great achievement. In the fifteen years that have since passed, the League has become an important moral personality. We turn towards Sir Eric and recognise the great part played by him in accomplishing that task. Words are of no avail without deeds; nor yet deeds, if the intelligence to create a living institution be lacking. That institution is in a great measure the work of Sir Eric, and it is he who has inspired us with the true international spirit. No better definition of an international official can be found than is contained in the earliest documents of the League of fifteen years ago. If the traditions of the League's earliest days are still retained by the Secretariat, it is because of the sound foundations on which it was based.

Our chief has given us an example of an arduous worker. One of the League's greatest assets in the view of those who visit the Secretariat has been Sir Eric's smiling patience in times of difficulty, his perfect calm in the adjustment of differences, and, above all, the sense of moral and intellectual integrity with which he has inspired those who come to Geneva in search of international peace and order.

You, Sir Eric, wish to leave with us another counsel — confidence in the future. It is true that times are troubled; pessimism has laid hold of the world and even penetrated the League of Nations, but our pessimism is no greater than that which prevails throughout the world in regard to the present state of all human institutions.

It is natural that the League also should have its critics. But the League is the true hope of these anxious times, and we fully share Sir Eric's hopes. But these hopes make us conscious also of certain duties; we must show ourselves strong, and strength comes from cohesion and from discipline. We must also be ready to face facts; at a time when the budgets of all countries are in confusion, it is natural that the prosaic

word economy should acquire symbolic value. Yet face to face with these realities we are still able to maintain our confidence.

In the name of all here I beg to offer to you, Sir Eric, and to your family our warmest wishes for happiness and prosperity.

On June 6th, 1933, the Council, which Sir Eric Drummond attended for the last time as Secretary-General, paid a grateful tribute to his work.

#### VIII. — APPOINTMENT OF TWO DEPUTY SECRETARIES-GENERAL AND AN UNDER SECRETARY-GENERAL.

The Council, on May 22nd, appointed as Deputy Secretaries-General M. Pablo de Azcarate (Spanish)<sup>1</sup> and M. Massimo Pilotti (Italian)<sup>2</sup> and as Under Secretary-General Mr. F. P. Walters (British).<sup>3</sup>

#### IX. — RESIGNATION OF TWO UNDER SECRETARIES-GENERAL.

Following the withdrawal of Japan from the League of Nations, M. Sugimura, Under Secretary-General, resigned from the Secretariat, and M. Trendelenburg handed in his resignation on the withdrawal of Germany from the League.

#### X. — THE NEW LEAGUE BUILDINGS.

On Monday, November 6th, 1933, the Secretary-General took possession of the new buildings on behalf of the

<sup>1</sup> M. Pablo de Azcarate, born at Madrid, July 30th, 1890. Doctor of Law of the University of Madrid (1911). Professor of Administrative Law at the University of Santiago de Compostella. Professor of Administrative Law at the University of Granada (1915). Parliamentary Deputy for Leon. Sent on mission by the Ministry of Public Education to France and England to study the control exercised by the State over industry during the war (1919-20). Director of the Minorities Section (1930).

<sup>2</sup> See *The League from Year to Year*, 1931-32, page 242.

<sup>3</sup> Mr. F. P. Walters, born in the Isle of Man, 1888. Fellow and Tutor of University College, Oxford. Private Secretary to Viscount Grey of Fallodon, former British Foreign Secretary (1919). Chef de Cabinet of the Secretary-General of the League of Nations from 1920 to 1933.

League of Nations. The building is planned upon simple and massive lines. At the extreme right stands the library, which is constructed upon a large scale. This part of the building, due to the generosity of Mr. Rockefeller, may be regarded as a proof of the interest of the American people in matters of concern to the League of Nations. The centre of the building is reserved for the great Assembly hall, which will accommodate 2,600 persons. This central portion of the building also includes the Council room and rooms reserved for committees. The roof of the Assembly hall rests upon the four largest concrete pillars ever built.

The whole left wing of the building is devoted to the offices of the Secretariat. There are, in this left wing, 500 rooms covering an area of 300 square metres in the four storeys.

The total surface covered by the building is 18,000 square metres, and its total cubic content is somewhere in the neighbourhood of 440,000 cubic metres. The foundations and general framework of the building are of ferro-concrete, which is used throughout the construction. The frontage of the building is constructed of stone quarried in France, Italy and Switzerland.

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